

**Security Council**

Distr.: General
11 May 2000

Original: English

Security Council mission visit to the Democratic Republic of the Congo, 4-8 May 2000

I. Introduction

1. By his letter dated 24 April 2000 (S/2000/344), the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to the Democratic Republic of the Congo. Following consultations among the members, it was agreed that the composition of the mission was as follows:

United States of America (Ambassador Richard Holbrooke – Head of Mission)

France (Ambassador Jean-David Levitte)

Mali (Ambassador Moctar Ouane)

Namibia (Ambassador Martin Andjaba)

Netherlands (Ambassador A. Peter van Walsum)

Tunisia (Ambassador Saïd Ben Mustapha)

United Kingdom of Great Britain and Northern Ireland (Ambassador Jeremy Greenstock).

2. The terms of reference of the mission are annexed to document S/2000/344.

3. The Security Council mission left New York on 2 May, called on the Minister for Foreign Affairs of Belgium in Brussels on 3 May and, from 4 May onwards, visited the Democratic Republic of the Congo, Zambia, Zimbabwe, Rwanda and Uganda. During its visit, the mission met with President Laurent-Désiré Kabila, President Frederick J. T. Chiluba, President Robert G. Mugabe, President Paul Kagame and President Yoweri Kaguta Museveni, as well as with the leaders of the two factions of the Congolese Rally for Democracy (RCD), RCD-Goma

and RCD-Kisangani; Congolese members of civil society, religious leaders and representatives of political parties; the Political Committee established by the Lusaka Agreement; and the Joint Military Commission. Three members of the mission, the Permanent Representatives of Namibia, the Netherlands and the United Kingdom, visited Kananga, a possible deployment site for the next phase of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC).

II. Activities of the Security Council mission

4. The Security Council mission conducted the following meetings and activities during its visit.

Meeting with President Kabila

5. On 4 May, shortly after their arrival in Kinshasa, the members of the mission met with President Kabila. After explaining the purpose of the mission's visit, Ambassador Holbrooke noted the progress that had been made since the Security Council had devoted the month of January 2000 to the problems of Africa, including the disengagement agreement signed at Kampala on 8 April, the mini-summit held at Kinshasa on 9 April and the mini-summit held at Algiers on 30 April. President Kabila's attendance during the Council's series of meetings in New York had done much to advance that progress, said Ambassador Holbrooke.

6. The ambassadors made the following points in their interventions to the President. As and if the Secretary-General, in accordance with paragraph 5 of



resolution 1291 (2000), determined that the conditions for deployment existed, the full support and cooperation of the Government would be needed. The Security Council would also expect the Government to offer its full support to the neutral facilitator of the inter-Congolese dialogue, Sir Ketumile Masire, and to facilitate United Nations humanitarian efforts to assist the many tens of thousands of displaced persons and victims of the fighting. The Security Council mission urged the President to agree to an exchange of prisoners of war, to be facilitated by the International Committee of the Red Cross (ICRC). It was time for the Democratic Republic of the Congo to choose between peace and war, continued the members. If it chose peace, the international community would render all possible assistance, but it was up to the Government of the Democratic Republic of the Congo to play its part. Ways in which it could do so included extending guarantees of security and full freedom of movement and access to MONUC and making adjustments as necessary to the official exchange rate and currency controls.

7. In his response, President Kabila stated that the visit of the Security Council team was an event of unusual importance and significance for the Democratic Republic of the Congo. His Government was committed to peace, and he promised his full cooperation with efforts to restore it. Indeed, added the President, cooperation between his Government and MONUC was now very good, thanks to his appointment of a Commissioner responsible for relations with MONUC. Formerly, there had been a certain amount of mistrust arising from the appearance of double standards, since the Council had moved more swiftly to react to the crisis in East Timor than it had in Africa, said the Head of State.

8. President Kabila, expressing concern over the fragility of the ceasefire, called for the speedy deployment of the second phase of MONUC. His Government would interpose no obstacle to that deployment. His Government would also continue to facilitate humanitarian access, as long as prior notification was received.

9. The President expressed some reservations concerning the facilitation programme for the national dialogue which, he said, had been drawn up without adequate consultation and reference to the timetable contained in the Lusaka Agreement. President Kabila stressed that the inter-Congolese dialogue was an

exercise designed primarily for the participation of the Congolese people. Nevertheless, he said he was prepared to assist the neutral facilitator.

10. On the question of the illegal exploitation of the natural resources of the Democratic Republic of the Congo, a subject now being considered in the Security Council, President Kabila criticized the international community for failing to condemn the presence of uninvited foreign troops in the Democratic Republic of the Congo and accused Rwanda, Uganda and Burundi of paying for weapons with diamonds taken from his country. It was up to the Council to put a stop to this activity through peaceful means.

11. In response to comments by the mission, the President also promised to examine the question of the exchange rate and currency controls in order to ensure the most effective use of the funds of MONUC and the United Nations agencies operating in the Democratic Republic of the Congo. The mission stressed the importance of this issue to the United Nations, citing its budgetary implications.

Signing of the status-of-forces agreement

12. Immediately following their meeting with President Kabila, the members of the mission witnessed the signing of the status-of-forces agreement by the Special Representative of the Secretary-General, Ambassador Kamel Morjane, and the Minister for Foreign Affairs of the Democratic Republic of the Congo, Yerodia Abdoulaye Ndombasi. At the request of the mission, the ceremony was held at the presidential palace in the presence of President Kabila.

Luncheon with heads of United Nations agencies

13. At a luncheon with the heads of United Nations agencies operating in Kinshasa, Ambassador Holbrooke raised a number of points. These included the need to take precautions against the spread of HIV/AIDS, the subject of several Security Council resolutions, including resolution 1291 (2000). Ambassador Holbrooke said he was deeply disturbed that no steps had been taken to alert MONUC military personnel to the dangers of AIDS despite the undeniable involvement of United Nations peacekeeping troops in the spread of AIDS. He said that a plan must be prepared immediately, coordinated with each troop-contributing country and the

Department of Peacekeeping Operations and made public. Ambassador Holbrooke further noted that the number of internally displaced persons in the Democratic Republic of the Congo far exceeded the number of refugees, and that mechanisms must be put in place to ensure the delivery of assistance to all war-affected populations.

Meeting with Congolese civil society, religious groups and political parties

14. On 5 May the members of the Security Council mission met in Kinshasa with representatives of civil society, religious groups and political parties. The main points of view that emerged from these discussions with the Congolese participants included their insistence on a democratic political structure for the Democratic Republic of the Congo, without privilege for those who had resorted to armed force; support for the Lusaka Agreement and the inter-Congolese dialogue (though varying opinions were expressed as to the proper venue for the dialogue); the need for the rapid deployment of phase II of MONUC; deep concern at the way in which the country's natural resources were being exploited; the infringement of the human rights of members of the unarmed opposition and innocent civilians; concern over the renewed fighting in Kisangani between Ugandan and Rwandan troops; the need to disarm, demobilize, reintegrate and resettle the armed groups identified in the Lusaka Agreement; humanitarian concerns; and the prospects for the future.

Visit to Kananga

15. Three members of the team — Ambassador Andjaba, Ambassador van Walsum and Ambassador Greenstock — visited Kananga, which has been identified as one of four possible sites for the deployment of a MONUC battalion. The delegation met with the Governor of the Province of Kasai Occidentale, Claudel André Lubaya, MONUC military observers, the local UNICEF representative and other officials for an exchange of views. During their brief tour of the city, members of the mission were struck by the great warmth of their reception by the citizens and by their clear desire for peace.

Meeting with the Joint Military Commission

16. Upon arrival in Lusaka on the evening of 5 May, the Security Council mission met with the members of

the Joint Military Commission. Despite the preparations that had been made, including the provision of air transportation, and the guarantees of full security that had been provided, the Commission had not met in Kinshasa as had originally been proposed.

17. The acting Chairman of the Joint Military Commission, General T. J. Kazembe, stressed the great difficulties the Commission had faced since its inception, including the lack of funding and logistical support, and reported briefly on its achievements. Members of the Commission also voiced a number of complaints concerning the way the Commission had been depicted in the second report of the Secretary-General to the Security Council on MONUC (S/2000/330). General Kazembe said the Commission's role had been portrayed in a misleading manner. He cited parts of the report dealing with the development of the disengagement plan, the role of MONUC in convening Commission meetings, the proposal for the convening of meetings once the Commission had located in Kinshasa and the reference to the absence of the Chairman, General Lallali. The Joint Military Commission, he said, hoped for the speedy deployment of MONUC and the smooth progress of the inter-Congolese dialogue.

18. Members of the Joint Military Commission representing Zimbabwe, Uganda, RCD-Goma and RCD-Kisangani, the Democratic Republic of the Congo and Angola then raised points concerning the mandate of MONUC to intervene in the fighting in Kisangani; the fact that the acquisition of the resources to carry out their mandate, rather than location in Kinshasa, was their first priority; the climate of hostility to the rebels created by inflammatory propaganda broadcast on radio by the Government; and the need for the Congolese parties to discuss their affairs among themselves "without patrons".

19. In response, Ambassador Greenstock said that the resolutions made clear the Council's overall responsibility for ensuring that all fighting in the Democratic Republic of the Congo must cease. Ambassador Levitte said that it was the right and duty of the United Nations to intervene to help stop the fighting in Kisangani, not least because it had caused the deaths of a number of Congolese civilians. The Security Council mission agreed that MONUC should bring reports of inflammatory language and hostile

propaganda to the attention of the Government and seek to end such broadcasts.

Meeting with President Chiluba

20. The Security Council mission met with President Chiluba on 6 May. The President stated that in addition to the implementation of the disengagement plan of 8 April, two things were required: the full and immediate deployment of phase II of MONUC, in order to ensure that a vacuum of power was not created, and the success of the inter-Congolese dialogue. In this connection, the President stated that the neutral facilitator suffered from a shortage of funds.

21. Ambassador Holbrooke praised President Chiluba's leadership which, he hoped, would make "Lusaka" a synonym for peace in Africa in the same way that "Dayton" had come to be equated with peace in Bosnia. Ambassador Holbrooke, speaking on behalf of the Security Council, expressed his deep concern at the situation in Sierra Leone, and his hopes for the swift release of the Zambian soldiers there unharmed.

22. Ambassador Holbrooke said that the deployment of MONUC and the progress of the inter-Congolese dialogue went hand in hand. MONUC, an observer mission, could not succeed unless progress was made in political reconciliation among the parties.

23. President Chiluba said the fighting in Kisangani was regrettable, but not strictly a violation of the ceasefire, in that the countries concerned were nominally allies. He had called President Kagame and was still trying to reach President Museveni to prevail upon them to desist from further fighting.

24. Ambassador Andjaba, Ambassador Ouane and Ambassador Ben Mustapha affirmed the admiration they and the Security Council felt for the leadership shown by President Chiluba in the resolution of the conflict in the Democratic Republic of the Congo. President Chiluba expressed his appreciation to the Security Council for focusing attention on the HIV/AIDS issue in Africa and on peacekeeping in January 2000.

25. The perfect time to deploy in the Democratic Republic of the Congo was now, added the President. He urged the Security Council team to make a positive report to the Council and to the Secretary-General. Without rapid deployment, there was a risk that the fragile ceasefire would start to unravel. This would also involve more support for the neutral facilitator.

Meeting with the Political Committee

26. On 6 May, the Security Council mission met in Lusaka with the Political Committee chaired by the Ugandan Minister of State for Foreign Affairs for Regional Cooperation, Amama Mbabazi. The Chairman expressed gratification at the attention the international community was now devoting to the problem of the Democratic Republic of the Congo. The ceasefire was still holding and the agreement of 8 April was being implemented. The disengagement plan should be carried out when MONUC effected its deployment. The position of the Political Committee was that MONUC should deploy as soon as possible.

27. The meeting agreed to discuss the inter-Congolese dialogue, MONUC deployment and, for the first time, the disarming, demobilization, reintegration and resettlement of the armed groups identified in the Lusaka Agreement.

28. The members of the mission stressed the need for progress in political reconciliation in the Democratic Republic of the Congo if the ceasefire was to be consolidated. The inter-Congolese dialogue alone represented the views of the Congolese people, who wanted peace in order to lead a normal life. The task of the neutral facilitator was to assist the Government and people of the Democratic Republic of the Congo to do so, with the cooperation of the Government. The mission was actively pursuing the question of funding for Sir Ketumile Masire, who had made a very positive impression on the Security Council during his recent visit to New York.

29. Ambassador Holbrooke then summarized the three options for the venue of the inter-Congolese dialogue, namely, Kinshasa, the Democratic Republic of the Congo outside the capital, or another African capital.

30. The Congolese parties represented on the Political Committee then stated their various preferences on the venue. The Movement for the Liberation of the Congo (MLC) wished it to be held in either Gaborone or Nairobi; RCD-Goma requested a neutral location; RCD-Kisangani said a venue should be proposed by Sir Ketumile Masire in consultation with the Congolese parties. Foreign Minister Ndombasi, while pointing out that there was no security problem in Kinshasa, and stressing the role of the recognized Government of the Democratic

Republic of the Congo, had no objection in principle to holding the dialogue in Kisangani. (The subsequent agreement between Rwanda and Uganda to withdraw their forces from Kisangani and for MONUC to deploy there has given rise to suggestions that the dialogue might be held there.)

31. In a discussion of the process of disarmament, demobilization, reintegration and resettlement, it emerged that there was little agreement on the scale of the problem. A rough provisional figure of some 15,000 members of armed groups existed, but the members of the groups were very hard to identify (others put the number as low as 3,000 or as high as 30,000). In the view of Ambassador Holbrooke, the process was absolutely critical to securing a lasting peace in the Democratic Republic of the Congo, especially in the east. More accurate data had to be collected.

32. The Chairman noted that all parties had stated their readiness to proceed to an exchange of prisoners of war.

33. Ambassador Levitte stated his intention, subject to the views of the Security Council as a whole, to invite the Political Committee to meet in New York during the French presidency, in the month of June, probably in the middle of the month.

Meeting with President Mugabe

34. Upon arrival in Harare on 6 May, the Security Council mission met with President Mugabe. Ambassador Ouane briefed the President on the mission's discussions the previous day with Congolese civil society, religious leaders and representatives of political parties in the context of the inter-Congolese dialogue. On the basis of that meeting, it appeared that the overwhelming majority of their interlocutors preferred to hold the dialogue within the Democratic Republic of the Congo, whether in Kinshasa or not, rather than in another African capital. Security conditions were an important factor, however, as was a high level of support from the international community for the involvement of the unarmed opposition.

35. Ambassador Ben Mustapha stated that there appeared to be no consensus on where the inter-Congolese dialogue should be held. At the meeting of the Political Committee held in Lusaka that morning, there had appeared to be agreement on the need to hold

the dialogue as soon as possible, in parallel with MONUC deployment, and without foreign "patrons".

36. Ambassadors Levitte, Holbrooke and Greenstock told President Mugabe their impressions of the meetings held over the last two days with the Congolese parties in Kinshasa and Lusaka.

37. In his response, President Mugabe said it was time for the United Nations to deploy, or else the situation in the Democratic Republic of the Congo would deteriorate. The President then confirmed the understanding of the Security Council members as to the origin of the situation in Kisangani. His explanation for the deterioration in relations between Uganda and Rwanda paralleled that of President Chiluba.

38. In President Mugabe's opinion, the political dialogue was at this juncture less important than MONUC deployment, since the conflict remained uppermost in people's minds and the rebel groups were essentially the creation of Uganda and Rwanda.

39. Ambassador Andjaba briefed the President on the meeting with the Joint Military Commission held the previous night. President Mugabe noted that Rwanda did not feel safe, and that no security arrangement in Kinshasa would satisfy them. He raised the possibility of co-locating the Commission with MONUC within the Democratic Republic of the Congo but outside Kinshasa, perhaps in Lubumbashi. The President did not see why a delay in locating the Commission in Kinshasa should slow down the deployment of MONUC.

40. The President also agreed with Ambassador Andjaba that the illegal exploitation of the natural resources of the Democratic Republic of the Congo was wrong. In exchange for its support, said the President, Zimbabwe had entered into an agreement with the Government of the Democratic Republic of the Congo to work a mine which had, however, not yet yielded any diamonds. His Government would extend its full cooperation to any expert panel created by the Security Council, including in the areas of the Democratic Republic of the Congo under its control.

Meeting with President Kagame (7 May)

41. In his opening remarks, Ambassador Holbrooke informed President Kagame that the Carlsson report on the role of the United Nations in the 1994 genocide had recently been discussed in depth by the Security

Council. All members had accepted the report's sobering conclusions. It was also recognized that the Lusaka Agreement took account of Rwanda's legitimate security concerns.

42. Raising the question of the fighting in Kisangani, Ambassador Holbrooke noted that the United Nations had publicly attributed responsibility to Uganda. After relating the background to the situation in Kisangani, President Kagame proposed that both Rwandan and Ugandan forces should withdraw from the city under United Nations supervision, and that MONUC should at once deploy there in accordance with the concept of operations approved by the Security Council.

43. The Security Council mission then invited the Rwandan Head of State to consider withdrawing some of his forces from the territory of the Democratic Republic of the Congo, pointing out that a large proportion of the Rwandan Patriotic Army was now operating beyond its own borders. Its presence caused resentment in certain parts of the Democratic Republic of the Congo, which was against Rwanda's interests. Some of its members had been accused of serious human rights violations. Such violations had been reported throughout the Democratic Republic of the Congo, noted President Kagame.

44. President Kagame expressed willingness to consider such a step if all other belligerents did the same. Discussion then turned to the creation of a bridging mechanism designed to permit the parties to reduce their military exposure in a mutually balanced way, since it had emerged from the talks the mission had held that all of them wanted to do so. In this context, President Kagame pointed out the importance of the inter-Congolese dialogue in building confidence and strengthening security, and called on the Security Council to support it.

45. As a result of further discussion, the two sides agreed to issue a joint declaration of the Government of Rwanda and the Security Council delegation. In the declaration, the Government of Rwanda stated that it was prepared to move quickly to implement a phased withdrawal in accordance with the disengagement plan of 8 April as MONUC deployment got under way, and to discuss the immediate release to the care of ICRC of all prisoners of war. The Government fully supported Sir Ketumile Masire. Both the Government and the Security Council mission agreed on the need to disarm, demobilize, reintegrate and resettle members of the

non-signatory armed groups, particularly the ex-Rwandan Armed Forces and Interahamwe, and to accelerate regional and international discussions aimed at resolving this issue. The Government and the Security Council mission agreed that the recent fighting in Kisangani, though deplorable, did not necessarily represent a threat to the Lusaka Agreement. The two sides agreed on the urgent need to dispatch military observers to Kisangani to help ensure that no further such incidents occurred.

Meeting with the Congolese Rally for Democracy-Goma

46. On 7 May, following its meeting with President Kagame, the Security Council mission met with representatives of RCD-Goma. The Security Council delegation expressed its serious concern over the fighting in Kisangani between the Uganda People's Defence Forces and the Rwandan Patriotic Army.

47. The Council delegation informed the RCD-Goma representatives of the declared willingness of President Museveni and President Kagame to end the fighting and pursue a peaceful resolution, as well as their request that MONUC should deploy additional military observers in Kisangani to supervise the cessation of fighting between the two parties. MONUC was ready to carry out the required reinforcement and to contribute to the stabilization of the situation.

48. While concurring with the idea, RCD-Goma objected to the proposal that MONUC should fly directly from Kinshasa to Kisangani without transiting through Goma. The Security Council mission categorically rejected the conditions posed by RCD-Goma in obliging MONUC flights to transit through Goma. It also referred to the status-of-forces agreement that had just been signed between MONUC and the Government of the Democratic Republic of the Congo and which allows for simple notification of MONUC flight plans instead of authorization requests as required previously. RCD-Goma eventually accepted that notification was sufficient.

49. The meeting also focused on several issues relating to the implementation of the Lusaka Ceasefire Agreement, notably the venue of the inter-Congolese dialogue, the location of the Joint Military Commission with MONUC in Kinshasa and the possibility of a special meeting of the Political Committee to be

convened around mid-June in New York during the French presidency of the Security Council.

50. On the issues of the inter-Congolese dialogue and location of the Joint Military Commission at Kinshasa, the RCD-Goma representatives rejected Kinshasa on security grounds. However, RCD-Goma would agree with other locations within the Democratic Republic of the Congo, notably Kisangani, Kananga and Mbuji-Mayi, as possible venues for the inter-Congolese dialogue or for the Joint Military Commission and MONUC to be co-located.

51. Ambassador van Walsum raised the Mwenga incident, in which 15 women were reportedly buried alive. Mr. Ilunga's response was one of the most astonishing heard by the mission: (a) the allegation was not true; (b) it only concerned three women; and (c) the other side did it too ("Kabila tue des dizaines de gens à Kinshasa tous les jours"). Ambassador van Walsum, supported by the entire delegation, firmly declared this response to be unacceptable. Members of the delegation stated that they would continue to pursue this issue and demanded more information, warning that they would ask the Security Council and other organizations to continue to search for the facts. (Later, the mission agreed that, while many other incidents of this sort had been reported, and that they should all be investigated, this one was so particularly odious that it demanded their particular attention.)

Meeting with President Museveni

52. Much of the meeting with President Museveni, which was held outside Kampala on 8 May, was devoted to following up the discussions the mission had had with President Kagame the day before in Kigali concerning the demilitarization of Kisangani.

53. During the talks with President Museveni, the mission consulted President Kagame about a statement that was subsequently released at the close of the talks with President Museveni. Ambassador Holbrooke subsequently briefed President Kabila and President Mugabe, who viewed the development favourably.

54. In the statement, the Government of Uganda and the Government of Rwanda stated that they were ready to withdraw their forces currently deployed in and around Kisangani to a distance to be agreed between them in detailed negotiations to be held without delay under the auspices of MONUC/the Joint Military Commission. The results of these negotiations would

be reported to the Political Committee at its next meeting, to be held before the end of May 2000.

55. The Government of Uganda, the Government of Rwanda and the Security Council mission together recommended to the Special Representative of the Secretary-General that MONUC should deploy at the earliest possible opportunity to Kisangani, to exercise neutral control over the demilitarized zone around the city and airports of Kisangani, once the parties concerned had withdrawn.

56. The Security Council mission reaffirmed its strong support for the entire Lusaka Agreement and called the attention of the Lusaka signatories to their obligation to implement the Lusaka Agreement in all its aspects, and in this context required all the parties to respect this agreement of the Governments of Uganda and Rwanda to demilitarize Kisangani and to take no action in any circumstances which would violate the demilitarized zone.

Meeting with the Movement for the Liberation of the Congo

57. Despite having received an invitation from the Security Council mission to meet with its members in Kampala, the leader of MLC, Jean-Pierre Bemba, did not appear, citing logistical difficulties.

Meeting with the Congolese Rally for Democracy-Kisangani

58. The mission met with Professor Ernest Wamba dia Wamba and his delegation at Entebbe airport to update him on developments. Mr. Wamba dia Wamba gave his views on the tension in Kisangani and on the need for urgent progress on the inter-Congolese dialogue which, in his view, should not be held in Kinshasa.

III. Principal issues arising during the visit of the Security Council mission

Military and security situation

59. The ceasefire agreed by the parties in Kampala as part of the disengagement plan of 8 April largely continued to hold during the visit of the Security Council mission to the Democratic Republic of the Congo and neighbouring countries. However, the visit

was marked by serious outbreaks of fighting at Kisangani between Rwandan and Ugandan troops, despite urgent efforts at the highest level to secure a ceasefire.

60. Although the Council mission noted the widespread view that, strictly speaking, the fighting in Kisangani did not represent a direct threat to the implementation of the Lusaka Agreement or the agreement of 8 April, it was nevertheless a very disturbing development. Approximately 100 Congolese civilians had reportedly been killed or injured in the fighting.

61. The acceptance by President Kagame and President Museveni of a proposal to withdraw their forces from Kisangani in a mutual and balanced manner under United Nations supervision, and for the rapid deployment of MONUC units in the city, has helped to ease a significant source of local tension which hampered the Lusaka peace process and caused many deaths and injuries among the local population, as well as extensive property damage. The two Heads of State are to be commended for their concurrence with the proposal, and MONUC must move swiftly to take advantage of the opportunity once they have implemented it.

62. The Security Council mission accepted that the disarmament, demobilization, reintegration and resettlement of the armed groups, including the ex-Rwandan Armed Forces and Interahamwe militia, was an essential element in restoring confidence in the eastern part of the Democratic Republic of the Congo. Unless it was resolved, it would be very difficult to restore the rule of law or ensure the security of borders in the eastern Democratic Republic of the Congo. Partly in view of the intractability of the problem, very little thought had been devoted to its resolution, though a working group of the Joint Military Commission had drawn up a preliminary paper. Much more needed to be done to address this troubling question.

Implementation of the Lusaka Ceasefire Agreement and the relevant resolutions of the Security Council

63. The signing of the status-of-forces agreement reflected a major improvement in relations between MONUC and the Government of the Democratic Republic of the Congo, especially in the light of personal undertakings made to the mission by the Head

of State at their meeting on 4 May. The removal of administrative obstacles to the expansion of MONUC should greatly facilitate its speedy deployment. Indeed, without exception, all the mission's interlocutors urged the deployment of phase II of MONUC as soon as possible.

64. The agreement in principle of the Political Committee to meet in New York at the invitation of the Security Council under the presidency of France in June 2000 could also serve as a stimulus to the peace process. The Security Council mission appreciated the contributions the Political Committee was making, under able chairmanship, to the implementation of the Lusaka Ceasefire Agreement, most notably through its adoption on 8 April of the disengagement plan.

65. Less progress was apparent in the effort to move the Joint Military Commission to Kinshasa. It was clear that some members of the Commission had no intention of meeting in Kinshasa, let alone locating there, whatever undertakings or arrangements to ensure security were made. Furthermore, the Commission continued to be beset by leadership, organizational, financial and administrative problems, notwithstanding the significant contributions made by a number of donor countries, including Zambia, and the energetic efforts of the acting Chairman, General Kazembe. There was general consensus, however, subject to the decision of the Secretary-General, that the deployment of MONUC could proceed independently of efforts to secure the location of the Commission in Kinshasa, much as this remains desirable, and as is called for in resolution 1291 (2000).

66. With each of its interlocutors, the Security Council mission brought up the question of the release of prisoners of war, as called for by the Lusaka Agreement. All parties expressed themselves in favour of proceeding with this step, which would build confidence and serve humanitarian ends. The Security Council mission looked forward to further practical progress in this direction with the help of ICRC.

Inter-Congolese dialogue

67. The Security Council mission noted the reservations expressed by President Kabila in connection with the programme of work proposed by Sir Ketumile Masire, but also his undertaking to assist the neutral facilitator. It had clearly emerged from all the consultations the mission had conducted that

ess in the inter-Congolese dialogue, in
nction with the deployment of MONUC and the
mentation of the other military aspects of the
a Ceasefire Agreement, represented the two paths
ing security in the country.

There was no consensus among the Congolese
s as to the venue of the dialogue, though most
ipants expressed a preference for holding it on
olese territory, whether in the capital or
here. The Security Council mission took the view
his was a matter to be resolved by the Congolese
s, with the facilitation of Sir Ketumile Masire.
in view of the overwhelming desire of the
olese people for peace, as demonstrated during
visit of some Security Council members to
nga and the meetings held with representatives of
society, religious groups and representatives of
cal parties, protracted discussions over the venue
e dialogue should not be allowed to delay the
hing of the talks as expeditiously as possible.

Observations and recommendations

The ceasefire inaugurated by the agreement of
il, which began on 14 April, though inevitably
is, is an important basis for future peacemaking
must not be given up lightly. The Kisangani
ent and reported violations in Equateur Province
deplorable, but did not represent breakdowns
en the parties to the conflict in the Democratic
blic of the Congo. Still, urgent follow-up work is
sary. Since the deployment of phase II of
UC, if authorized, would take several further
to exert even a preliminary effect, interim
ry observation needs to be reinforced quickly,
ling by the establishment of direct communication
en MONUC headquarters and field commanders,
combined with constant political monitoring and
cts at high level. Verified disengagement may be
le in a few areas, but cannot reach a
prehensive stage until and unless phase II of
UC is up to strength on the ground.

The requirement for a professional ceasefire
oring and verification force as mandated in
tion 1291 (2000) is self-evident. Each of the five
ents consulted on this visit was unequivocal in
ppeal for rapid deployment, and apprehensive
the sustainability of the ceasefire without it. The
ration of the Congolese people, whose suffering

the mission could for the most part only imagine,
clearly demands an international response. But the
deployment of MONUC could be executed only in the
most difficult of logistic circumstances, at great
expense and with the goodwill of the belligerent
parties. While the immediate protection of
peacekeepers would have to be assured, MONUC
would not be in a position to exercise any consistent
military control of violations.

71. The Secretary-General's decision on deployment
will therefore be complex. The mission is acutely
conscious, in the current circumstances of
peacekeeping in Africa and elsewhere, of the risks
bound to be faced by those contributing observers and
protection forces. There are lessons to be learned from
the Sierra Leone tragedy about the deployment of
peacekeepers before a conflict has run its course. The
need for security to be assured as deployments begin
and the immediate availability of reinforcements are
two of the most important. Equally, the development of
a culture of stability and economic growth in Africa
cannot be achieved without a partnership between
Africans and the international community on conflict
resolution; and the judgement of the United Nations on
a peacekeeping operation in the Democratic Republic
of the Congo will inevitably be seen in that context.
**The developments in Sierra Leone inevitably cast a
shadow over the mission to the Democratic
Republic of the Congo, but the situation in the
Democratic Republic of the Congo has its own
unique characteristics, and the peacekeeping
operation there must be judged on its own merits.
Sierra Leone should not be allowed to cloud the
international community's responsibility in the
Democratic Republic of the Congo and its capacity
to make a real difference there.**

72. The leaders of the region have to share the
responsibility for returning the Democratic Republic of
the Congo to stability. The mission recommends that
the Secretary-General, before he makes his final
decision, should speak to each of the Lusaka parties at
the highest level, seeking their unequivocal
commitment to assist the proposed deployment of
phase II of MONUC, testing their commitment to the
maintenance of the ceasefire and asking for their firm
undertaking, in writing, to support phase II on the
ground in every way possible. The tensions which exist
among the parties, and between certain of the parties
and the United Nations, as the mission itself observed,

have to be contained by the political leaderships, who remain ultimately accountable.

73. In the event of a positive decision by the Secretary-General, it is essential for the Lusaka and United Nations processes to interact effectively. The core structure for ceasefire monitoring, as ordained in resolution 1291 (2000), has to be MONUC and the Joint Military Commission working jointly from a co-located headquarters. The location of the headquarters is for those concerned on the ground to establish. While Kinshasa must remain the natural choice in time, it may be too early in the process of deconfliction and reconciliation for the Joint Military Commission to join MONUC there in the immediate future. One of the principal regional centres may therefore be a better temporary choice at this stage. It was evident to the mission from their contacts that "co-location", for several of the parties, meant something quite different from sharing a combined headquarters building; it meant going to Kinshasa. The city chosen therefore requires a decision by the Political Committee.

74. The military activity in and around Kisangani during the course of the mission's journey, in clear breach of the ceasefire of 14 April, has been condemned by the Security Council. The mission was pleased to play a role in promoting the joint declaration on the demilitarization of Kisangani issued by the Governments of Uganda and Rwanda on 8 May. But implementation, as always, is the only true test, and disturbing reports of fresh shelling and apparently hostile troop movements have already been received. This agreement needs immediate and forceful follow-up action by the Special Representative of the Secretary-General and by MONUC. As one of the most important of the regional centres of the Democratic Republic of the Congo, the city could have a significant role in the peace process. The mission, before it left the region, urged the Special Representative to explore quickly whether a demilitarized Kisangani, under the temporary authority of MONUC in the earliest stages of its deployment, could provide the parties with secure, neutral facilities for future political and military exchanges. The mission used its contacts with the parties to promote this proposal, which will bear fruit if they are committed to the consolidation of the ceasefire and the step-by-step implementation of the Lusaka process.

75. The mission was left in no doubt of the fundamental importance of establishing a national

dialogue on the future of the Democratic Republic of the Congo. Without a political track, the parties will inevitably focus on the military track. All the Lusaka signatories the mission met, but even more emphatically the representatives of the Congolese civil, political and religious communities who were not associated with the use of armed force, placed emphasis on the need for vigorous and legitimate political activity. The mission concluded that follow-up on this central aspect should be urgently pursued. Sir Ketumile Masire's facilitation needs immediate access to funds and the unequivocal support, in particular, of all the Lusaka signatories. The mission hopes that the facilitator, with the assistance of the Special Representative of the Secretary-General and the active backing of the Security Council, will address the question of the venue for the first stages of the dialogue with renewed vigour, especially if the demilitarization of Kisangani proceeds as planned. The appointment at an early date of a senior adviser to the neutral facilitator based in Kinshasa, who should be francophone, could be helpful in this regard. The mission believes that a compromise on the venue question should be reached before the Political Committee visits New York in June 2000. Kinshasa is the natural eventual home of the political process; but the mission recommends that an interim solution, possibly Kisangani, could be explored and that Kinshasa could be re-examined at a later date, when confidence between the parties has grown.

76. The Lusaka requirement for a disarmament, demobilization, reintegration and resettlement programme, without which no sustained cessation of the conflict will be possible, has now been broached by the mission with the parties. The issue should be taken forward in New York in June, with prior preparation by the parties and by MONUC. The mission recognizes the need for time and the most substantial deployment of peacekeeping forces, beyond phase II of MONUC, for this purpose, but work must be done now on the details, so that the parties can be confident that the whole structure of Lusaka is being given attention.

77. The mission raised the question of the illegal exploitation of the resources of the Democratic Republic of the Congo in their exchanges and made it clear that the Security Council would return to addressing this problem. None of the external parties to the conflict claimed a long-term interest in remaining on the territory of the Democratic Republic of the

Congo in either a military or an economic context. The mission recommends the early establishment of an expert panel by the Security Council to take this matter forward.

78. At the mission's instigation, particular parties offered to take steps to exchange prisoners of war. The Security Council should urge ICRC to renew its approaches to turn this expressed willingness into practical results.

79. All the members of the Security Council mission to the Democratic Republic of the Congo express their gratitude to the leaders and Governments in the countries they visited for their hospitality and responsiveness. They pay tribute to the determined and courageous work of the Special Representative of the Secretary-General, Ambassador Kamel Morjane, to the Force Commander, Major General Mountaga Diallo, and to their military and civilian personnel. They express their warm appreciation to the United Nations teams on the ground in each of the locations they visited for their professional and logistical support and to the Secretariat staff who accompanied them for their sustained helpfulness in often difficult circumstances.



Security Council

Distr.: General

11 May 2000

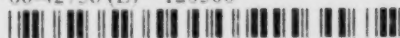
Original: English

Letter dated 11 May 2000 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to request that the statement that South Africa would have made at the 4139th meeting of the Security Council, concerning the situation in Sierra Leone, be distributed as a document of the Security Council.

(Signed) Dumisani S. Kumalo
Ambassador

Permanent Representative of South Africa to the United Nations



Annex to the letter dated 11 May 2000 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

Statement to the Security Council by Ambassador Dumisani S. Kumalo, Permanent Representative of South Africa, on the situation in Sierra Leone, 11 May 2000

Once again, we meet at a critical time for the United Nations. Our Organization finds itself at a crossroads. The international community is being called upon to take a stand, to make decisions that may define, in terms of peacekeeping, the future of our organization.

We must display the collective resolve, political will and leadership required to revive the hopes for peace among the long-suffering people of Sierra Leone. As Africans, it has been difficult to watch helplessly as yet another country in our continent deteriorates right in front of our own eyes.

We join in condemning, in the strongest terms, the serious violations of the Lomé Peace Agreement by Mr. Foday Sankoh and his rebel movement known as the RUF. Mr. Foday Sankoh cannot be allowed to destroy the hopes for peace and reconciliation of the people of Sierra Leone and frustrate the will of the international community.

Mr. Sankoh has clearly demonstrated that he has no respect for the international community by detaining over 500 United Nations peacekeepers and even killing some of them. Our hearts go out to the families of the peacekeepers who gave their lives for freedom in Sierra Leone.

We call upon the RUF to abide by their obligations under the Lomé Peace Agreement. Mr. Sankoh and his rebels must immediately cease all hostilities and attacks against civilians, and must release all detained United Nations personnel. The United Nations must remain engaged in Sierra Leone until there is peace in that country.

South Africa welcomes the statement by the heads of State of the countries belonging to the Economic Community of West African States who met in Abuja on 9 May 2000. We underscore and echo their statement declaring that it is unacceptable to challenge the provisions of the Lomé Peace Agreement, and for Mr. Sankoh to attempt to take power in Sierra Leone through the use of force. We endorse calls made by the international community for concerted action to resolve

the crisis caused by the reckless behaviour of the RUF. We support the tireless efforts of the Non-Aligned Movement Security Council caucus who have remained seized with this matter throughout.

The Secretary-General of the United Nations has appealed for UNAMSIL to be brought up to full strength. We express our appreciation to those Governments that heeded the Secretary-General's call and offered assistance to bring about the urgent deployment of the extra troops on the ground in Sierra Leone.

We commend the contributions of troop-contributing countries to UNAMSIL. It is unfortunate that some have used unfair characterizations to attribute blame for the setbacks experienced by UNAMSIL. Now is not the time to apportion blame. None of us here could have expected that the task of maintaining peace, and setting the conditions for reconstruction and reconciliation in Sierra Leone, was going to be easy after 10 years of ongoing conflict.

This is especially true in an operation in which the disarmament, demobilization and reintegration of armed elements into civil society is so central to the success of the entire mission.

It is important to recall this is not the first time that the United Nations and Member States, acting in support of the United Nations, have suffered setbacks of this nature. The grim events in Srebrenica, and the taking hostage of United Nations and other international personnel in Bosnia and Herzegovina, are today recognized as critical moments of failure in the history of our Organization. But none of this has been allowed to divert us from our responsibility of maintaining peace in places such as Kosovo and East Timor.

With hindsight, the unfolding situation in Sierra Leone appears to have validated the earlier concerns of SADC and ECOWAS in seeking an appropriate mandate, appropriate numbers of troops and civilian police, and for our peacekeepers to be fully backed up with the appropriate political and material support

required to do the job right. We need to ensure that we do not repeat past mistakes by doing peacekeeping on the cheap.

In conclusion, the current mandate of UNAMSIL provides the necessary authority to protect the civilians of Sierra Leone. It also makes provision for the United Nations peacekeepers to defend themselves. UNAMSIL must be given the necessary political and material support to fully implement these mandates.

If the mandate should not prove sufficient, then it will need to be strengthened. This will need to be done for the sake of the people of Sierra Leone, for the sake of our United Nations peacekeepers, and, above all, for the sake of maintaining international peace.



Security Council

Distr.: General
11 May 2000

Original: English

Letter dated 11 May 2000 from the Permanent Representative of Kenya to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to request that the statement that Kenya would have made at the 4139th meeting of the Security Council, concerning the situation in Sierra Leone, be distributed as a document of the Security Council.

(Signed) Fares M. **Kuindwa**
Ambassador

Permanent Representative of Kenya to the United Nations



Annex to the letter dated 11 May 2000 from the Permanent Representative of Kenya to the United Nations addressed to the President of the Security Council

Statement to the Security Council by Ambassador F. M. Kuindwa, EGH, EBS, Permanent Representative of Kenya on the situation in Sierra Leone, 11 May 2000

1. Mr. President, my delegation takes this opportunity to express its gratitude to you for convening this very important meeting. We also take this opportunity to express our appreciation to your predecessor, Ambassador Fowler of Canada for the able manner in which he conducted the affairs of the Security Council during the month of April.
2. My delegation also fully associates itself with the statement made by the Permanent Representative of Algeria, His Excellency Ambassador Baali, on behalf of the Group of African States.
3. The Security Council meets, as it must, at a trying period in the dangerous and rapidly evolving situation in Sierra Leone. The Security Council's responsibility to discuss and act on all matters related to international peace and security, is enshrined in the Charter of the United Nations. We believe that, notwithstanding regional or national efforts, the Charter reserves the primary responsibility for the maintenance of international peace and security for the Security Council. This responsibility should be applied uniformly. Regional efforts of necessity remain complementary. My delegation stresses this point in order to place the Sierra Leone situation in its proper context.
4. Kenya's decision to contribute troops to the United Nations peacekeeping effort in Sierra Leone was based on the following three main considerations:
 - (a) First and foremost, the primary role for the maintenance of international peace and security rests with the United Nations Security Council. As a Member State of the United Nations, Kenya felt duty bound to respond to the request to support the United Nations peacekeeping effort in Sierra Leone. Indeed Kenya's traditional support for United Nations peacekeeping is well known;
 - (b) Secondly, Kenya felt the fraternal responsibility to contribute to the restoration of peace and stability in Sierra Leone and enable the long-suffering people to rebuild their lives;
 - (c) Finally, that this effort would be fully supported by all Member States as an international effort and that it would not be seen as a purely African affair.
5. As the ECOMOG intervention and the first United Nations operations in Sierra Leone amply illustrated, it is impossible to enforce a fragile peace or ceasefire with limited resources in financial, material or personnel terms. The early lessons of the United Nations Kosovo operation show that the United Nations effort must be properly implemented, well-financed, well-equipped and in numbers sufficient to carry out the mandate, as well as to act as a credible deterrent. The ECOMOG experience in Sierra Leone resulted in major loss of life for its members and unfortunately the UNAMSIL experience today strikes an even more bitter but familiar cord.

6. Kenya would like to suggest a three-track approach to the current situation: an operational track; a political track; as well as a humanitarian track.

7. With regard to the operational track, my delegation strongly supports views expressed and recently endorsed by the 9 May 2000 ECOWAS Summit held in Abuja, Nigeria. We therefore call for:

(a) The speedy deployment of the remaining UNAMSIL contingents authorized under Security Council resolution 1289 (2000);

(b) All troop-contributing countries to UNAMSIL to provide adequate equipment, ammunition and related *matériel* to enable UNAMSIL to effectively implement what is left of its mandate. In this regard, we believe that heavy equipment and show of force will act as a deterrent as well as enable UNAMSIL to carry out its mandate fully;

(c) The urgent review of the mandate of UNAMSIL, with a view to enabling a more robust application of the chapter seven umbrella, and the resultant rules of engagement. In order to maintain a cohesive force with an efficient command and control, enabling on the spot decision-making, there must be better and more efficient communications between Headquarters and the field;

(d) Review the mandate of UNAMSIL to increase the force level in order to facilitate a Kosovo-like deterrent with appropriate artillery and air cover.

8. Allow me to register my Government's concern about the shortfalls of the existing MEDEVAC plan. The current plan keeps wounded soldiers waiting for three to four days. We need to speed up evacuation of casualties. Another aspect concerns out-of-country evacuations, which we hope the troop contributors and DPKO shall soon resolve.

9. It is also necessary for the political track to be deployed vigorously. In this regard, ECOWAS' proposals should be seriously considered by the Security Council;

(a) During ECOWAS' previous mandate, it appointed a group of ministers to conduct negotiations with the parties to the conflict and to become a clearing house, together with the Security Council, on all negotiations. We believe that the resurrection of this approach is critical. We should go back to the drawing board and address the political problem holistically. We strongly believe that one of the main near-term objectives is to locate the missing troops and secure the release of the hostages. In this regard, we commend the approach that ECOWAS has proposed, namely to mandate President Taylor of Liberia to seek out Mr. Sankoh and others and to negotiate a way out;

(b) The Security Council needs to unanimously embrace its responsibilities, as it does with all other missions in Europe and Asia, and re-engage in an energetic and resolute manner. This engagement clearly presupposes more effective use of the office of the Special Representative of the Secretary-General. On this note, my delegation warmly commends the Secretary-General's commitment in addressing this problem. We hope that his call for help and support will be heeded by all, especially those who are better endowed. My delegation also takes this opportunity to express appreciation to Mr. Bernard Miyet, the Under-Secretary-General in charge of Peacekeeping Operations, for visiting Sierra Leone and not only providing

badly needed morale to the troops, but also bringing back useful information that will enable the United Nations take appropriate steps in dealing with the situation.

10. On the humanitarian track, we commend current efforts and encourage rapid distribution of food, medicine, clothing and shelter. It is most appropriate for us to be sensitive and responsive to the urgent needs of the Sierra Leonean people.

11. In conclusion, as we grapple with the crisis in Sierra Leone, and even as we consider immediate measures to cope with it, the international community needs to reflect on the implications of these events on the future of the maintenance of international peace and security and the role of the Security Council in it. Can the Security Council, as currently constituted, carry out its mandate as enshrined in the Charter, especially in the face of a rapidly changing world order? As for now, we need to engage in a discussion about what we really want to achieve in Sierra Leone and whether we have the necessary tools to do so.

12. Kenya again submits that all future and existing peacekeeping mission be given equal and non-discriminatory treatment in respect of financial and administrative arrangements. We continue to express serious concerns at the delay experienced in deploying troops and providing adequate resources to peacekeeping missions in Africa and emphasize that all peacekeeping missions be provided with ample resources in order to effectively and efficiently discharge their respective mandates.

13. It is against this background that Kenya wishes to categorically restate its commitment to support the United Nations peacekeeping effort in Sierra Leone and indeed elsewhere.



Security Council

Distr.: General
12 May 2000

Original: English

Draft resolution

The Security Council,

Recalling its resolutions 1177 (1998) of 26 June 1998, 1226 (1999) of 29 January 1999 and 1227 (1999) of 10 February 1999,

Deeply disturbed by the outbreak of renewed fighting between Eritrea and Ethiopia,

Stressing the need for both parties to achieve a peaceful resolution of the conflict,

Reaffirming the commitment of all Member States to the sovereignty, independence and territorial integrity of Eritrea and Ethiopia,

Expressing its strong support for the efforts of the Organization of African Unity (OAU) to achieve a peaceful resolution of the conflict,

Welcoming the efforts of its Mission to the region and its report of 11 May 2000 (S/2000/413),

Convinced of the need for further and immediate diplomatic efforts,

Noting with concern that the renewed fighting has serious humanitarian implications for the civilian population of the two countries,

Stressing that the situation between Eritrea and Ethiopia constitutes a threat to peace and security,

Stressing also that renewed hostilities constitute an even greater threat to the stability, security and economic development of the subregion,

1. *Strongly condemns* the renewed fighting between Eritrea and Ethiopia;
2. *Demands* that both parties immediately cease all military action and refrain from the further use of force;
3. *Demands* the earliest possible reconvening, without preconditions, of substantive peace talks, under OAU auspices, on the basis of the Framework Agreement and the Modalities and of the work conducted by the OAU as recorded in its Communiqué issued by its current Chairman of 5 May 2000 (S/2000/394);
4. *Resolves* to meet again within 72 hours of the adoption of this resolution to take immediate steps to ensure compliance with this resolution in the event that hostilities continue;



5. *Reaffirms* its full support for the continuing efforts of the OAU, of Algeria its current Chairman, and of other interested parties to achieve a peaceful resolution of the conflict;

6. *Endorses* the Framework Agreement and the Modalities as the basis for the peaceful resolution of the dispute between the two parties;

7. *Endorses also* the 5 May 2000 Communiqué issued by the current Chairman of the OAU, which records the achievements of the OAU-led negotiations up to that point, including the areas of convergence already established between the two parties;

8. *Calls on* both parties to ensure the safety of civilian populations and fully to respect human rights and international humanitarian law;

9. *Requests* the Secretary-General to keep the Council fully and regularly informed on the situation;

10. *Decides* to remain seized of the matter.



Security Council

Distr.: General
12 May 2000

Original: English

Letter dated 12 May 2000 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

I have the honour to forward the attached letter from Mr. Isaias Afwerki, President of the State of Eritrea, dated 12 May 2000, addressed to you (see annex).

I should be grateful if you would kindly circulate the text of the present letter and its annex as a document of the Security Council.

(Signed) Haile Menkerios
Ambassador
Permanent Representative



Annex to the letter dated 12 May 2000 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

As you will have been informed, Ethiopia has today resumed its war of aggression against Eritrea by launching a large-scale offensive.

Ethiopia's renewed resort to force comes in the wake of its repeated declaration to the international community that it was going to war. This is what the Ethiopian Prime Minister told the Security Council mission as well as members of the diplomatic corps.

In the letter he sent to you on 11 May, on the eve of his renewed aggression against Eritrea, the Prime Minister of Ethiopia sought to justify the continuation of the war by alluding to the "conclusive and definitive" collapse of the peace process. In reality, it is Ethiopia, which has frustrated the peace process by reneging on its commitments and rejecting the technical arrangements after seven months of stalling. When Eritrea agreed, for the sake of peace, to open the technical arrangements for discussion, Ethiopia again blocked the proximity talks in Algiers by refusing to respect key provisions of the Framework Agreement and the Modalities for its Implementation, which form a basis for the talks and that were endorsed by the Organization of African Unity (OAU) Summit in Algiers. Ethiopia has also rejected proposals put forward by the mission of the Security Council that visited both countries this week.

Ethiopia's renewed resort to force is in flagrant violation of the OAU Framework Agreement and Modalities, which commit both parties to refrain from the use of force. It is also a violation of the principles of the Charter of the United Nations.

The United Nations Security Council has repeatedly resolved that the conflict between Eritrea and Ethiopia constitutes a threat to international peace and security.

Accordingly, Eritrea calls on the Security Council to:

1. Strongly condemn Ethiopia's resumption of its war of aggression on Eritrea;
2. Support Eritrea's legitimate right to self-defence.

(Signed) Isaias Afwerki
President of the State of Eritrea



Security Council

Distr.: General
12 May 2000

Original: English

**Letter dated 12 May 2000 from the Chargé d'affaires a.i. of the
Permanent Mission of Ethiopia to the United Nations addressed
to the President of the Security Council**

I have the honour to transmit to you herewith a letter from Mr. Seyoum Mesfin, Minister for Foreign Affairs of the Federal Democratic Republic of Ethiopia, addressed to you on the current situation regarding the Ethiopia-Eritrea conflict (see annex).

I should appreciate it very much if the present letter could be circulated at the earliest possible opportunity to all members of the Security Council and as a document of the Council.

(Signed) Fesseha A. Tessema
Chargé d'affaires a.i.



**Annex to the letter dated 12 May 2000 from the Chargé d'affaires
a.i. of the Permanent Mission of Ethiopia to the United Nations
addressed to the President of the Security Council**

I wish to draw your attention to the memorandum of 11 May 2000 from my Minister for Foreign Affairs addressed to you (S/2000/422).

Let me assure you from the outset of our commitment to peace, which is the thrust of our Prime Minister's message to you. However, we are not lucky enough to have it. A rogue State that has no respect for principles of international law has made it impossible for us to have peace with dignity and to put a stop to a war that it has imposed on us since 6 May 1998.

We had an opportunity in Algiers from 29 April to 5 May to return to peace. But Eritrea sabotaged that proximity talks and thereby killed the opportunity for peace that we had so much wanted to seize.

Don't we have a legitimate right, as a victim of aggression, to ask the Security Council to condemn Eritrea's act of aggression against Ethiopia and receive the sympathy of the Council? Even at this late stage, the Security Council can discharge its responsibility, which it has failed to carry out for over two years. Though the Security Council knew that aggression had been committed by Eritrea, the Council chose to ignore this blatant violation of international law by the Eritrean leadership.

It would indeed have made an enormous difference if the Security Council had called upon Eritrea from the outset to reverse its aggression and if it had condemned this flagrant violation of international law. However, under the circumstances, and in the absence of what would have been justified indignation by the international community, Eritrea continued with its aggression against Ethiopia.

Thus encouraged, Eritrea refused also to give peace a chance and continued to reject all peace initiatives. What happened in Algiers recently is the latest confirmation of this. After this latest opportunity for peace was torpedoed by Eritrea, the Security Council pretended, again, that no crime was committed by Eritrea. This is a source of deep anguish for Ethiopia and for our people.

We are saddened that the Security Council did not use this latest opportunity with foresight and with the necessary resolve to press Eritrea to see reason and to return to substantive talks on the basis of the consolidated technical arrangements.

Another opportunity was thus created for Eritrea to continue prevaricating and to escape the blame for the collapse of the Algiers proximity talks that Eritrea wilfully and deliberately foiled.

Can Ethiopia, even at this stage, expect justice from the Security Council? Does the violation of international law in Africa matter to the Security Council? Can we believe that the Security Council abhors aggression wherever it is committed?

It is with regret that I inform you that our experience over the last two years gives us little confidence that we can get, as a victim of aggression, a fair hearing from the Security Council.

But we cannot lose hope. We wish to believe that, even though belatedly, the Council might decide to listen to the victim of aggression and thereby assist us put a stop to this war of aggression that has continued unabated for over two years.

Let me inform you in all sincerity that there is nothing more that Ethiopia wishes than peace. Our commitment to peace is second to none. We value peace. That is why, even though a victim of aggression, we did our best to ensure the peaceful resolution of the crisis that Eritrea has imposed on us. But all our efforts failed because of Eritrea's intransigence. We believe it is never too late to do whatever is necessary for peace. This shall always be Ethiopia's principled position. Thus we remain always ready to assist the Organization of African Unity to help us achieve peace. But Eritrea needs to be persuaded to work for peace without preconditions and to be ready to reverse its aggression.

In the meantime, we call on the Security Council to assist us stop this war and to help us achieve peace with dignity, based on full respect for principles of international law. Justice requires that the Council stop its pretension that aggression was not committed and that Ethiopia is not a victim of aggression. What the Security Council does based on principles will have enormous implication for peace and stability in our subregion.

(Signed) Seyoum Mesfin
Minister



Security Council

Distr.: General
12 May 2000

Original: English

**Letter dated 11 May 2000 from the Chargé d'affaires a.i. of the
Permanent Mission of Ethiopia to the United Nations addressed to
the President of the Security Council**

I have the honour to transmit to you herewith an Ethiopian memorandum on the origins and current status of the Ethiopian-Eritrean crisis (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Fesseha A. Tessema
Chargé d'affaires, a.i.



**Annex to the letter dated 11 May 2000 from the Chargé d'affaires
a.i. of the Permanent Mission of Ethiopia to the United Nations
addressed to the President of the Security Council**

**Statement from the Ministry of Foreign Affairs: Ethiopian
memorandum on the origins and current situation with regard to
Ethiopian-Eritrean crisis**

1. It is now more than two years since Eritrea invaded Ethiopia and occupied its territory. The May 1998 Eritrean aggression against Ethiopia was totally unprovoked and, given the close relations between the two countries until that time, also amounted to a stab in the back and to a betrayal of friendship.
2. That was not the first time in its brief independent existence of five years that Eritrea has resorted to force to resolve differences with its neighbours. Eritrea has five neighbours. Four of them, including Ethiopia, have had their turn in being a victim of Eritrean bellicosity and aggression.
3. Though the victim of aggression, Ethiopia has never over the past two years of the crisis even once demonstrated unwillingness to give peace a chance. The military means of reversing the Eritrean aggression has never been Ethiopia's first option. Ethiopia's preferred option has always been peaceful resolution of the crisis.
4. But Ethiopia has always had one demand. We insisted that the violation of international law should not and must not be rewarded. Accordingly, Ethiopia has insisted, and continues to insist, that Eritrea's aggression be reversed. This, we have argued, could be done only when the status quo ante is restored. This has been Ethiopia's bottom line for peace. And this is what Eritrea has refused to accept, and thus the reason why all peace efforts made so far have failed to succeed.
5. The fact that Eritrea is the aggressor, and Ethiopia the victim of aggression, is beyond doubt. No less beyond doubt is the fact that Eritrea has been the one who has been the cause for the failure of all peace efforts so far.
6. The latest peace effort scuttled by Eritrea is the proximity talks that took place in Algiers from 29 April to 5 May 2000 under the auspices of the current chairman of OAU, with the support of senior officials of the United States of America and representatives of the European Union.
7. But this is only the latest in a long series of peace efforts that have been wrecked by Eritrea.
8. The first such opportunity was lost in early June 1998, soon after the Eritrean aggression, when Eritrea rejected the United States-Rwandese peace proposal. That was a peace proposal that could have helped us achieve peace right from the outset and before, because of Eritrea's intransigence, the outbreak of wide-scale military hostilities causing enormous suffering, loss of lives and destruction of property, were made inevitable.
9. The central element of the United States-Rwandese proposal was the following request addressed to Eritrea to agree to a return to the status quo ante:

... Eritrean forces begin to re-deploy to positions held before 6 May 1998, and that, immediately following, the civilian administration in place before 6 May 1998 return ...

10. With the United States-Rwandese effort at peacemaking having thus been aborted by Eritrea, OAU took over the responsibility for peace, with Eritrea being the first to invite OAU to assume this responsibility. It served Eritrea's purpose at the time to promote the OAU as a champion of neutrality in whom, unlike the United States and Rwanda, it could have confidence. But this was until OAU was to call a spade a spade and demand, reiterating the call made by the United States and Rwanda, for the restoration of the status quo ante and for the reversal of the Eritrean aggression.

11. But the way OAU handled its job was methodical. Because Eritrea had denied having occupied Ethiopian territory, the OAU set up a High-Level Delegation of OAU Heads of State, supported by ministerial and ambassadorial committees, comprising members from States members of the High-Level Delegation, for the purposes of investigating the matter.

12. The findings of the OAU Ambassadorial Committee, which served as the basis for the Framework Agreement subsequently to be drawn up by the High-Level Delegation and to be submitted to the two parties as an OAU peace proposal on 8 November 1998, could not have been clearer on the origin of the crisis. The report of the Ambassadorial Committee, among other things, stated the following:

With regard to the authority which was administering Badme before 12 May 1998, and on the basis of the information at our disposal, we have reached the conclusion that Badme Town and its environs were administered by the Ethiopian authorities before 12 May 1998.

13. The same report added, dismissing the Eritrean assertion that alleged that developments prior to 6 May 1998 might have had significance for the crisis, the following as part of its conclusion:

It is, nevertheless, of the view that what happened in Badme between 6 and 12 May [1998] constitutes a fundamental element of the crisis.

14. It was, as referred to above, on the basis of these findings, that the OAU High-Level Delegation stated in paragraph 3 of its peace proposal, known as the Framework Agreement, that,

In order to create conditions conducive to a comprehensive and lasting settlement of the conflict through the delimitation and demarcation of the border, the armed forces presently in Badme Town and its environs should be re-deployed to the positions they held before 6 May 1998.

In response to requests by Prime Minister Meles Zenawi for confirmation by the OAU High-Level Delegation, the High-Level Delegation confirmed that the terms "armed forces" is in reference to Eritrean troops and that the term "environs" was meant to denote all occupied Ethiopian territories. No doubt, whatever is meant to apply to part of occupied land should also apply to all land occupied by force.

15. But Eritrea would not accept the OAU Framework Agreement when it was submitted to the two parties on 8 November 1998 and continued with its

intransigence until February 1999. It was only when Eritrean forces were driven out of Badme on 26 February 1999 that Eritrea said, on 27 February 1999, that it was prepared to accept the Framework Agreement, but with the provision that it would not withdraw from other Ethiopian territories that were still under Eritrean occupation.

16. But the OAU would have none of this and Eritrea was told in no uncertain terms that it was expected to withdraw from all occupied territories administered by Ethiopia until the time of the Eritrean aggression. In his letter of 8 May 1999 to the President of Eritrea, President Blaise Compaore of Burkina Faso, then current Chairman of OAU, said:

To find a solution to the problem posed to the implementation of the Framework Agreement, I submit to you a solemn appeal, in the name of the OAU and its High-Level Delegation, that you accept our proposal that the Eritrean Government agree to re-deploy its troops out of Ethiopian territories occupied after 6 May 1998.

17. Eritrea's response to the above solemn request by OAU was another spate of insults directed at its then current Chairman. It took another military setback in June 1999 for Eritrea to accept the Modalities endorsed, along with the Framework Agreement, by the OAU Summit in Algiers in July 1999. The Modalities for the implementation of the OAU Framework Agreement stated, in paragraph 1:

The Eritrean Government commits itself to re-deploy its forces outside the territories they occupied after 6 May 1998.

18. Many thought that Eritrea would now contribute its share to peace and that it would, as called for in explicit terms by the Modalities, commit itself to full withdrawal of its forces of occupation from Ethiopian territory. It is to be recalled that that was what the then current Chairman of OAU, President of Burkina Faso, called on Eritrea to do in May 1999.

19. The next step for the OAU was to draw up the technical details for the implementation of the two OAU basic peace documents, the Framework Agreement and the Modalities, which were the two documents endorsed by the OAU Summit.

20. The technical document, which later came to be known as the technical arrangements, was conceived to deal with purely technical details with a view to facilitating the implementation of the two basic documents. It was not meant to set forth new principles for the resolution of the conflict. Nor was it expected to amend or contradict the principles which formed the basis for the Framework Agreement and the Modalities.

21. But unfortunately, when the technical arrangements were submitted to Ethiopia, it became immediately obvious that it was a flawed document. It was not consistent with the Framework Agreement and the Modalities. It left ambiguities with respect to the need for the full restoration of the status quo ante, the demand that Ethiopia had insisted on right from the beginning and which Eritrea had also from the outset refused to accept. Obviously, Eritrea thought it had achieved its objectives by default and immediately seized the opportunity and said it has accepted the technical arrangements.

22. It is not necessary to dwell on how and why the facilitators ended up doing what they did. This is not important now and, in any case, Ethiopia never felt they

did it out of malice. The most significant point, however, is that the facilitators did eventually discover that the technical arrangements needed to be revisited and to be made consistent with the Framework Agreement and the Modalities.

23. The preparation of the technical arrangements got started in July 1999. It took almost eight months to produce the first draft and then to bring the document in line with the two OAU basic documents. Since July, Ethiopia has insisted on how critical it is to make the technical document consistent with the Framework Agreement. Eritrea never objected to the effort being made by the OAU to improve the document. It was also agreed, including by Eritrea, that the formal signing of all three documents would take place following the completion of an agreed implementation plan. This would also have meant an agreement on a ceasefire.

24. Ethiopia has always insisted that a formal ceasefire would be signed after Eritrea had fully committed itself to the withdrawal of its forces from occupied Ethiopian territory not after Eritrea had withdrawn its forces from Ethiopian territories it had occupied by force. What Ethiopia wanted was a formal commitment from Eritrea, in concrete terms and with no ambiguity, to withdraw its forces from occupied Ethiopian land. For that, it was necessary to complete the preparation of a technical document acceptable to both and based on the two OAU basic peace documents.

25. This was close to being achieved in March 2000 when, during the last round of shuttle diplomacy by the facilitators from 25 February to 5 March, the facilitators made progress towards producing a consolidated technical arrangement, which was more or less consistent with the Framework Agreement and the Modalities.

26. At any rate, this was the Ethiopian view, as well as that of the facilitators. But Eritrea balked and said it was not ready to accept the improved document. But Eritrea nonetheless agreed to continue the talks later after it has had the opportunity to study the document in detail.

27. It was under these circumstances that the facilitators proposed proximity talks before the end of March to continue the process of peacemaking. The proposal was accepted by both parties. What the agenda of the proximity talks would be was made clear by the press release put out by OAU on 6 March 2000. It said in part:

The two parties reaffirmed their will to see that the technical arrangements are consistent with the letter and spirit of the Framework Agreement and the Modalities.

28. As it had been the intention of the facilitators to convene proximity talks before the end of March, the two parties received communication from the current Chairman inviting them to send their delegation to Algiers for talks that would have begun on 25 March 2000. In his letter of invitation, the current Chairman was clear about the agenda for the proximity talks. He said it was being convened "with the view to consolidating the technical arrangements".

29. But Eritrea would not confirm its participation and therefore the talks planned for 25 March 2000 were aborted. The Ethiopian Minister for Foreign Affairs had to cancel his flight at the last minute.

30. It was obvious that Eritrea was looking for an excuse to scuttle the peace process as it has always done when it was close to being pinned down on having to take concrete steps to reverse its aggression and return to the status quo ante.

31. This became clear once again when Eritrea first failed to confirm its participation in rescheduled proximity talks now planned to start on 29 April 2000. But this time the facilitators stood their ground and United States and European Union officials proceeded to Algiers. The Eritrean delegation could thus not absent itself from the talks as the Ethiopian delegation was already in Algiers on time. Though the talks had to be postponed for a day because of Eritrea, they nevertheless began the next day. But the meeting was to no avail. Eritrea had sent its delegation to Algiers to wreck the peace process.

32. The Algiers proximity talks collapsed after six days of futile consultation because Eritrea refused to discuss the agenda, insisting on a set of newly formulated preconditions for talks on substantive matters on the basis of the consolidated technical arrangements.

33. Eritrea knew perfectly well that an agreement on the implementation plan would have logically and automatically led to the signing of the three documents and of a ceasefire. This has been the understanding since July 1999. But Eritrea would have none of this now. It wanted to proceed immediately to signing the two OAU basic peace documents and to agreeing to a ceasefire before completing the negotiation on the implementation plan, which would have committed it in concrete terms to withdraw from occupied Ethiopian territories.

34. The experience was indeed frustrating both to Ethiopia and to the facilitators. Thus, Eritrea succeeded in ensuring the collapse of the Algiers proximity talks and perhaps fatally wrecking the OAU peace process.

35. What Ethiopia advanced in Algiers at the ill-fated proximity talks was the same position it has been committed to since July 1999 and, in general terms, since the morrow of the Eritrean aggression. Eritrea, however, came with new preconditions, which were also a source of puzzlement for the facilitators. In a communiqué put out on 5 May, the office of the current Chairman laid out the reason for the collapse of the peace process in Algiers as follows:

... The proximity talks held in Algiers were intended to assist the two Parties arrive at consolidated technical arrangements on the basis of positions acceptable to each of them ...

Unfortunately, those substantive discussions could not be started because Eritrea requested, as a pre-condition, the signing of the Framework Agreement, the Modalities and the ceasefire while Ethiopia maintained its position of July 1999, namely that the said signing should take place only after the finalization of the technical arrangements ...

36. But there should have been no surprise over the Eritrean position in Algiers. No doubt its preconditions were new insofar as this round of negotiation that started in July 1999 was concerned. However, as a general pattern of Eritrea's position in all phases of the peace process, starting from the United States-Rwandese peace proposal, Eritrea's behaviour in Algiers reflected its known reluctance to agree to the full return of the status quo ante of 6 May 1998 and to the reversal of its aggression.

37. It is to be recalled that the OAU peace process, which continued for almost two years to finally reach a dead-end in Algiers, is the second effort by OAU after its first effort had failed immediately following the Ouagadougou Summit of 8 to 10

June 1998. That first attempt at peacemaking by OAU was based on a call by the Organization to the parties to the conflict to accept and immediately implement the United States-Rwandese peace proposal. That decision was adopted by the OAU Summit on 10 June 1998. It was with a view to following up the implementation of that Summit decision that the OAU High-Level Delegation paid visits to Addis Ababa and Asmara on 18 and 19 June 1998. But it failed, again, because Eritrea was not committed to peace.

38. In expressing its frustration over the collapse of its first attempt at brokering peace between Ethiopia and Eritrea, the High-Level Delegation said, *inter alia*, on 19 June 1998:

It would be recalled that the facilitators [United States and Rwanda] have put forward some proposals to both parties as a way of bridging the gap between them. These proposals were supported by the Ouagadougou Summit.

In the course of its discussion with both parties, the Ethiopian side reiterated its acceptance of the proposals of the facilitators. The Eritrean side stated clearly that the facilitation was over. From this point of view, therefore, the Delegation was not able, at this juncture, to make headway with respect to the facilitators' recommendation.

39. Although that phase of the OAU effort was aborted by Eritrea, the Organization stated at the time that it would not give up. The same OAU report of the time said,

the OAU will nonetheless continue with its efforts. The issue is too serious and grave and deserves the continued attention of the Organization ... In this endeavour, the OAU Delegation will build on the areas where there is convergence of approach and views between the two parties.

40. That was two years ago. But nothing has changed in Eritrea's position. It continues to refuse reversing its aggression. Now again, after so much effort by OAU, and bloodshed in the meantime because of Eritrea's intransigence, the OAU peace process has come to naught because of Eritrea. The aggressor has made it consistently clear that peace is not in its interest. Ethiopia has had no partner for peace.

41. This is the dilemma Ethiopia faces. The road to peace has been consistently blocked by Eritrea. At every critical stage in the peace process, Eritrea has come up with an excuse to derail it. How long can Ethiopia wait until its territory is liberated? Two years have already passed. Can Ethiopia wait indefinitely for the restoration of its sovereignty? Should rogue States be allowed to get away with violation of the law? We have no doubt about what the verdict of the fair-minded and those who care for the defence of principles of international law will be.

42. Let it be underlined clearly that the war that was imposed on Ethiopia by Eritrea on 6 May 1998 has continued for over two years. The various efforts made for peace have faltered because of Eritrea's intransigence. Therefore, Ethiopia has been unable to find a partner to end the war.

43. Under the circumstances, Eritrea bears full and sole responsibility for all the consequences of this war that has continued for over two years now.



Security Council

Distr.: General
12 May 2000

Original: English

Letter dated 11 May 2000 from the Secretary-General addressed to the President of the Security Council

I have the honour to inform the members of the Security Council that it is my intention to appoint Jean Arnault, presently my Special Representative and Head of the United Nations Verification Mission in Guatemala (MINUGUA), as my Representative and Head of the United Nations Office in Burundi (UNOB). He will take up his new functions in June 2000. Mr. Arnault will succeed Cheikh Tidiane Sy, who has been designated as my Representative and Head of the United Nations Peace-Building Support Office in the Central African Republic (BONUCA) from 1 June 2000. Mr. Arnault's curriculum vitae is attached (see annex).

I should be grateful if you could bring the content of the present letter to the attention of the members of the Security Council.

(Signed) Kofi A. Annan



Annex

Curriculum vitae

Jean Arnault
Nationality: French
Born: 6 May 1951

Professional experience

- 1997 to date: Special Representative of the Secretary-General for Guatemala,
Head of Mission
United Nations Verification Mission in Guatemala (MINUGUA)
- 1994-1996: Moderator of the Guatemala Peace Negotiations
Head of the Guatemala Unit, Department of Political Affairs
- 1992-1993: Observer of the Guatemala Peace Negotiations, desk officer for
Central America
Department of Political Affairs, New York
- 1991: Political adviser to the Special Representative of the Secretary-
General for Western Sahara
- 1990: Senior Political Affairs Officer, Head of Kabul headquarters
Office of the Secretary-General for Afghanistan and Pakistan
- 1989: Senior Political Affairs Officer
United Nations Transition Assistance Group, Namibia (UNTAG)
- 1984-1988: Conference interpreter
Department of Conference Services, New York
- 1981-1983: Conference interpreter (freelance)
United Nations Office at Geneva, World Intellectual Property
Organization, International Telecommunication Union, United
Nations Industrial Development Organization, International Atomic
Energy Agency, Food and Agriculture Organization of the United
Nations, United Nations Centre for Human Settlements, United
Nations Environment Programme
- 1978-1980: Translator, French and Russian
Novosti Press Agency (Moscow)

Education and training

- 1976: Licence in philosophy (University of the Sorbonne, Paris)
- 1980: Post-graduate diploma in conference interpretation (Polytechnic of
Central London)
- 1999: Course in management and team-building, Guatemala

Languages

Spoken, written, drafting: English, French, Russian and Spanish

Stays outside country of nationality of one year and above

1966-1968:	Havana
1978-1980:	Moscow
1980-1981:	London
1981-1983:	Geneva
1984-1988:	New York
1990:	Kabul
1997-2000	Guatemala

Interventions at international conferences and seminars

1994:	Vesper Society, San Francisco, United States of America
1995:	Consultative group meeting on Guatemala, Paris
	Woodrow Wilson Center Seminar on compared peace processes, Washington, D.C.
1996:	Inter-American dialogue, Washington, D.C.
1997:	Consultative group meeting on Guatemala, Brussels
	Carter Center-World Bank seminar on compared peace processes, Atlanta
	Woodrow Wilson Center seminar on compared peace processes, Washington, D.C.
	IPA seminar on peacemaking and peacekeeping, New York
	Fund for Peace Conference, Washington, D.C.
	Havard seminar on Guatemala peace process, Boston
1998:	Peace Implementation Network, New York
	Seminar on Central American Peace processes, Cartagena de Indias, Colombia
	Inter-American Development Bank Conference on Public Security, San Salvador
	Conference on the Colombian peace process, Bogota
	Conference on Peace and Public Security, Ibagué, Colombia
	Seminar on peace processes, Johns Hopkins University, Washington, D.C.
	Woodrow Wilson Center seminar on compared peace processes, Washington, D.C.
1999:	United Nations Institute for Training and Research seminar on peace settlement and democratization, Switzerland

FAFO-International Monetary Fund-World Bank seminar on financing of the public sector in post-conflict peace-building situations, Washington, D.C.

Consultative group meeting on Central America, Stockholm

Seminar on Iberoamerican peace processes, Guatemala

International Peace Academy course on peacekeeping, Austria

The role of the United Nations Department of Political Affairs in post-conflict peace-building, New York



Security Council

Distr.: General
12 May 2000

Original: English

Letter dated 11 May 2000 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 11 May 2000 (S/2000/423), concerning your intention to appoint Jean Arnault as your Representative and Head of the United Nations Office in Burundi (UNOB) has been brought to the attention of the members of the Security Council. They take note of the intention contained in your letter.

(Signed) Wang Yingfan
President of the Security Council





Security Council

Distr.: General
12 May 2000

Original: English

**Letter dated 12 May 2000 from the Chargé d'affaires a.i. of
the Permanent Mission of Yugoslavia to the United Nations
addressed to the President of the Security Council**

I have been instructed by my Government to lodge a strong protest at the violation of the air space of the Federal Republic of Yugoslavia by SFOR on 27 April 2000. On that day between 9.30 and 10 p.m. the State border authorities of the Federal Republic of Yugoslavia at the border post of Mali Zvornik, the border unit, of Loznica, noticed an SFOR helicopter which violated the air space of the Federal Republic of Yugoslavia on a number of occasions at the region of Mali Zvornik 700 metres deep in the territory of the Federal Republic of Yugoslavia.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) **Vladislav Jovanovic**
Chargé d'affaires a.i.





Security Council

Distr.: General
12 May 2000

Original: English

Letter dated 12 May 2000 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to inform you of violations of the terms of the ceasefire between the Islamic Republic of Iran and the Republic of Iraq, committed by the Iraqi side between 5 December 1999 and 16 January 2000 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Hadi **Nejad-Hosseinian**
Ambassador
Permanent Representative



Annex to the letter dated 12 May 2000 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Ceasefire violations and incursions

1. On 5 December 1999, at 1400 hrs., a grey and red, single engine Iraqi patrol boat, carrying 2 armed passengers - dressed in civilian clothes - was spotted patrolling at coordinates 39R TP 37000-59000 on the map of Abadan.
2. On 5 December 1999, at 0830 hrs., a power shovel was spotted digging a canal at coordinates 38S NB/PB 03000-66000 on the map of Mehran.
3. On 9 December 1999, at 1000 hrs., a power shovel was spotted digging a canal in the vicinity of Mohammad Ghasem sentry post at coordinates 38S NB/PB 05000-68000 on the map of Mehran.
4. On 12 December 1999, at 1000 hrs., an Iraqi by the name of Ashur Ood who intended to enter the territory of the Islamic Republic of Iran at coordinates 39R TP/TQ 16000-85000 on the map of Navad was arrested by Iranian forces.
5. On 12 December 1999, at 9055 hrs., an Iraqi speed boat carrying a number of passengers - dressed in civilian clothes - was spotted patrolling at coordinates 39R TP 41000-55000 on the map of Khosro-Abad.
6. On 12 December 1999, at 1040 hrs., an Iraqi speed boat carrying a number of passengers - dressed in civilian clothes - was spotted patrolling at coordinates 39R TP 46000-485000 on the map of of Khosro-Abad.
7. On 15 December 1999, a white Toyota pick-up sporting red decals and carrying 4 passengers, along with a crane, left Garmisheh sentry post at coordinates 38S NB/PB 12000-47000 on the map of South Mehran for Abziyadi sentry post at coordinates 38S NB/PB 15000-47000 on the same map and began to work.
8. On 17 December 1999, at 2300 hrs., three Iraqis by the names of Foad Saleh Ghadir, Sajad Saleh Ghadir, and Kazem Hassan Naser were arrested by Iranian forces while riding a boat at coordinates 39R TP TN 55000-21000 on the map of Faw.
9. On 17 December 1999, at 1445 hrs., an Iraqi speed-boat, carrying two passengers dressed in military fatigues, was spotted patrolling at coordinates 39R TP 53400-28000 on the map of Khosro-Abad.
10. On 24 December 1999, at 1050 hrs., an Iraqi loader was spotted at work, at coordinates 38S NC 39000-62000 on the map of Southern Naft-Shar.

11. On 24 December 1999, at 0940 hrs., an Iraqi bulldozer was spotted at work at coordinates 38S PA QA 03000-92000 on the map of Meimeh river, in the vicinity of Tayeb sentry post.
12. On 23 December 1999, at 1215 hrs., an Iraqi patrol boat - displaying the Iraqi flag - carrying a single passenger dressed in civilian clothes, was spotted patrolling at coordinates 39R TP 28700-67000 on the map of Khoramshar.
13. On 23 December 1999, at 1440 hrs., an Iraqi military boat, carrying two passengers dressed in civilian clothes, was spotted patrolling at coordinates 39R TP 46000-48500 on the map of Khosro-Abad.
14. On 20 December 1999, at 1720 hrs., an Iraqi patrol boat, carrying two passengers dressed in civilian clothes, was spotted patrolling at coordinates 39R TP/TN 61000-17000 on the map of Ali-Shir.
15. On 4 January 2000, at 0820 hrs., two red power shovels were spotted digging a canal in the vicinity of Sadr-Arafat sentry post, situated at coordinates 38S NB/PB 97000-65000 on the map of Mehran.
16. On 3 January 2000, at 1440 hrs., three Iraqi shepherds were spotted in the vicinity of coordinates 38S NB/PB 11200-56000 on the map of Mehran. Two of the said shepherds were arrested, while one escaped. Fourteen M1 rounds and one hundred and three G3 rounds were recovered from those arrested.
17. On 26 December 1999, at 1255 hrs, an Iraqi patrol boat, carrying two passengers dressed in military fatigues, was spotted patrolling at coordinates 39R TP/TN 60500-17000 on the map of Ali-Shir.
18. On 26 December 1999, at 1645 hrs., a blue colored Iraqi patrol boat, carrying a single passenger, was spotted at coordinates 39R TP/TN 60500-17000 on the map of Ali-Shir.
19. On 1 January 2000, at 0830 hrs., two red power shovels were spotted setting out from the city of Badreh - opposite to Mehran - and began digging a canal in the vicinity of Sadr-Arafat sentry post at coordinates 38S NB/PB 97000-56000 on the map of Mehran
20. On 31 December 1999, at 1225 hrs., an 82 mm mortar was set up by Iraqi forces at coordinates 38S NC 52600-41500 on the map of Soomar map, in the vicinity of the Iraqi Doleh-Sharif sentry post.
21. Recently, aside from fiberglass Iraqi military speed boats, a number of wooden boats, outfitted with Johnson 220 horsepower outboards and carrying civilian passengers, have been spotted patrolling the point in which the Karoon river meets the Arvandrood river.

22. On 13 January 2000, at 0945 hrs., a loader, on which two Iraqi soldiers were riding, was spotted at work in the vicinity of coordinates 38S NC 55000-39000 on the map of Soomar.
23. On 16 January 2000, at 1240 hrs., an Iraqi patrol boat, carrying a single passenger (probably a combatant) was spotted patrolling at coordinates 39R TP 29000-66000 on the map of Khoram-Shahr.
24. On 16 January 2000, at 0720 hrs., two metal pipes and a base for Grenov machine gun were installed by the Iraqi forces at coordinates 38S TP/PB 99000-67000 on the map of Mehran.
25. On 15 January 2000, Iraqi forces established a base at coordinates 39R TP 22800-70200 on the map of Khoram-Shahr.

Border developments

1. On 11 December 1999, the Iraqi forces set up an AA gun at coordinates PA/QA 92000-95000 on the map of Meimeh, two kms away from Khoveiseh sentry post.
 2. On 14 December 1999, at 0930 hrs., an Iraqi citizen by the name of Hossein Motafen gave himself up to Iranian soldiers at coordinate 38S TP/QA 11000-96000 on the map of Meimeh.
-



**General Assembly
Security Council**

Distr.: General
12 May 2000
English
Original: French

**General Assembly
Fifty-fourth session
Agenda item 31
Cooperation between the United Nations and the
Organization of African Unity**

**Security Council
Fifty-fifth year**

**Identical letters dated 12 May 2000 from the Permanent
Representative of Algeria to the United Nations addressed to the
Secretary-General and to the President of the Security Council**

I have the honour to transmit to you herewith the communiqué issued today by Mr. Abdelaziz Bouteflika, current Chairman of the Organization of African Unity (OAU), following the resumption of fighting between Ethiopia and Eritrea (see annex).

I should be grateful if you would have this letter and its annex distributed as a document of the General Assembly, under agenda item 31, and of the Security Council.

(Signed) Abdallah Baali
Ambassador
Permanent Representative



**Annex to the identical letters dated 12 May 2000 from the
Permanent Representative of Algeria to the United Nations
addressed to the Secretary-General and to the President of the
Security Council**

***Communiqué issued by the office of the current Chairman of the
Organization of African Unity following the resumption of fighting
between Ethiopia and Eritrea***

It is with profound concern that the office of the current Chairman of the Organization of African Unity (OAU) has learnt today of the resumption of fighting between Ethiopia and Eritrea. These regrettable developments, coming as they do after intense efforts by OAU to secure the implementation of a peaceful, lasting settlement of this fratricidal conflict, will naturally meet with the profound disapproval of Africa and of the international community as a whole.

The office of the current Chairman of OAU wishes to recall that, since the thirty-fifth regular session of the Conference of Heads of State and Government, it has worked with perseverance and determination and with the active support of its partners to encourage Ethiopia and Eritrea to commit themselves resolutely to completing the framework for a peaceful settlement of this conflict and to its early, comprehensive implementation.

At the time, the two parties' acceptance of the Framework Agreement and the Modalities endorsed by the thirty-fifth Summit in Algiers in July 1999 had aroused hope and optimism that there would be a speedy, peaceful and definitive settlement of the dispute.

It is true that, despite eight months of painstaking, patient efforts to achieve such an outcome, the Framework Agreement and the Modalities have still not been implemented. However, as the communiqué issued by the office of the current Chairman of OAU on 5 May (S/2000/394) indicated, there are now many points of convergence between the two parties as to the process for implementing the peace plan which they have already accepted.

It is in this context that on 5 May 2000 the current Chairman of OAU addressed messages to President Isaias Afwerki of Eritrea and Prime Minister Meles Zenawi of Ethiopia, appealing to them to show restraint and to continue the talks aimed at fulfilling all the conditions necessary for the implementation of the

peace plan. The content of this appeal was also brought to the attention of the Heads of State and Government of the States members of OAU and of the Secretaries-General of the United Nations and OAU. Unfortunately, the use of force has replaced dialogue and negotiation.

In view of these developments, which could have grave, unforeseen consequences both for the two countries and for the stability of the whole region, the office of the current Chairman of OAU, on behalf of Africa, its peoples and its leaders, addresses a pressing, urgent appeal to the Ethiopian and Eritrean Governments to end the hostilities immediately and unconditionally, so as to spare the fraternal Ethiopian and Eritrean peoples suffering and destruction and allow the peace efforts to continue with a view to a peaceful settlement of the conflict in accordance with the Framework Agreement and the Modalities.

The office of the Current Chairman of OAU appeals to the international community to add its voice and efforts to those of Africa to bring about an immediate cessation of the fighting between Ethiopia and Eritrea, so that OAU can pursue its peace effort to secure the implementation of the Framework Agreement and the Modalities.



Security Council

Distr.: General
15 May 2000

Original: English

**Letter dated 12 May 2000 from the Chargé d'affaires a.i. of the
Permanent Mission of Yugoslavia to the United Nations addressed
to the President of the Security Council**

I have the honour to forward herewith a memorandum of the Government of the Federal Republic of Yugoslavia on the implementation of Security Council resolution 1244 (1999) of 10 June 1999 and the overview of terrorist and other acts of violence and of certain violations of the resolution in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, in the period from 10 June 1999 to 7 May 2000 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) **Vladislav Jovanovic**
Chargé d'affaires a.i.



**Annex to the letter dated 12 May 2000 from the Chargé d'affaires
a.i. of the Permanent Mission of Yugoslavia to the United Nations
addressed to the President of the Security Council**

**Memorandum of the Government of the Federal Republic of
Yugoslavia on the implementation of Security Council resolution
1244 (1999) of 10 June 1999**

**I. COMMUNICATIONS ADDRESSED BY THE GOVERNMENT OF THE FR OF YUGOSLAVIA
TO THE SECURITY COUNCIL, SECRETARY-GENERAL, KFOR, UNMIK AND OTHER
INTERNATIONAL ORGANIZATIONS**

1. Repeated warnings about violations of Security Council resolution 1244 (1999)

Almost eleven months since its adoption, there has been no change in the attitude towards Security Council resolution 1244 (1999) of 10 June 1999 and the Military Technical Agreement by the international presences, the Kosovo Force (KFOR) and the United Nations Interim Administration in Kosovo (UNMIK), in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia.

Repeated warnings to the Security Council, Secretary-General, KFOR and UNMIK and to other relevant international organizations and factors by the Government of the FR of Yugoslavia about flagrant violations of the key provisions of the resolution, the Ahtisaari-Chernomyrdin document and the Military Technical Agreement have not been heeded at all. At the same time, developments in Kosovo and Metohija continue to evolve contrary to the letter and substance of the resolution and the related documents, threatening the security of the entire region.

Memorandums of the Government of the FR of Yugoslavia: This is the fifth Memorandum that the Government of the FR of Yugoslavia addresses to the Security Council (the fourth was addressed on 3 April 2000 (S/2000/293)). This Memorandum, too, contains an updated documented overview of direct and flagrant violations of the fundamental principles of the Charter of the United Nations, the key provisions of the resolution and the related documents, as well as of all other generally-accepted international standards in the field of human and civil rights taking place in Kosovo and Metohija under the watch of KFOR and UNMIK. The overview provides abundant evidence of the continuous deterioration of the situation in this Serbian province.

Despite amply documented facts and the clear demands of the Government of the FR of Yugoslavia that the Security Council, as the primarily responsible body, take vigorous and urgent measures to put an end to the dramatic deterioration of the overall situation in Kosovo and Metohija, the Council continues to avoid to fulfil its obligations and countenances the inadmissible conduct of KFOR and UNMIK. Such an approach by the Security Council is without a precedent in the practice of the United Nations peace-keeping missions.

In more than 120 direct communications to the Security Council and to the Secretary-General of the United Nations, the Government of the FR of Yugoslavia pointed to the drastic instances of non-compliance with, or gross violations of, the mandate of KFOR and UNMIK, in particular to the violation of the sovereignty and territorial integrity of the FR of Yugoslavia in Kosovo and Metohija. The Government of the FR of Yugoslavia made special mention of the continued terror, ethnic cleansing and genocide of Albanian terrorists and separatists against the Serbs, Montenegrins, Roma, Turks, Goranci and other non-Albanians in Kosovo and Metohija.

In its direct communications to the head of UNMIK and the commander of KFOR through its Committee for Cooperation with the United Nations Mission in Priština, the Government of the FR of Yugoslavia has consistently drawn attention to, and lodged regular protests at, the flagrant breaches of

authority by KFOR and UNMIK and their failure to implement their mandate, established by Security Council resolution 1244 (1999).

2. Passive attitude of the Security Council and other bodies of the international community

In view of the continuous and dramatic deterioration of the situation and drastic violations of basic human rights and the destruction of historical and cultural monuments, constituting an integral part of the world cultural heritage, the Government of the FR of Yugoslavia informs in a timely and well-documented manner also other international organizations engaged in Kosovo and Metohija (UNHCR, UNHCHR, UNESCO, ICRC, OSCE, EU, Council of Europe, etc.). Despite its demands that they too fulfil their share of responsibility under Security Council resolution 1244 (1999) and other relevant international legal instruments within their field of activity, there are still no signs of the real readiness of these organizations to engage in earnest in putting an end to the present devastating trends in Kosovo and Metohija, which seriously undermines the authority of the United Nations and weakens confidence in the genuine readiness of the world Organization to fulfil its obligations and provide protection to its member-States in accordance with the Charter of the United Nations.

II. SYSTEMATIC VIOLATIONS OF SECURITY COUNCIL RESOLUTION 1244 (1999) AND THE MILITARY TECHNICAL AGREEMENT

1. Systematic violation of the sovereignty and territorial integrity of the FR of Yugoslavia and the mandate of the Security Council

Security Council resolution 1244 (1999) expressly confirms the sovereignty and territorial integrity of the FR of Yugoslavia in Kosovo and Metohija (preambular para 10; subpara 8, Annex 2)

Decisions of UNMIK and KFOR: Regulations of the Special Representative of the United Nations Secretary-General and Head of UNMIK have no grounding in the resolution and are aimed at severing all links between Kosovo and Metohija and the Republic of Serbia and the FR of Yugoslavia, i.e. at fully separating the Province from the constitutional, legal, economic, monetary, financial, banking, customs, visa, administrative and other systems of the FR of Yugoslavia and the Republic of Serbia.

Regulations and decisions of the Special Representative undermine systematically and directly the State sovereignty of the FR of Yugoslavia and the Republic of Serbia in Kosovo and Metohija, the basic principle guaranteed by Security Council resolution 1244 (1999), and decry the legal basis and prerogatives of statehood of the State of Serbia and the FR of Yugoslavia in that southern Serbian province, as an integral part of the sovereign territory of the Republic of Serbia and the FR of Yugoslavia.

The Special Representative continues to act illegally with the aim of creating pre-conditions for making the Province independent from the Republic of Serbia and the FR of Yugoslavia and to favour political and other interests of Albanian separatists and terrorists, an activity without a precedent in the history of United Nations missions. Established illegally at the time when not even minimum security conditions were created for non-Albanian residents of Kosovo and Metohija, the so-called Interim Administration Council, a de facto Provincial "Government", composed exclusively of Albanians, mostly from the ranks of the terrorist so-called Kosovo Liberation Army and Albanian separatist political parties, constitutes an attempt to legalize ethnic supremacy of Albanians, with a view to creating an ethnically pure Kosovo and Metohija.

The repeated attempts of the Special Representative to include into that body the Serbs, chosen by himself according to his own criteria mostly for offices of peripheral political importance and influence, are

part and parcel of the same overall strategy of the Special Representative to legalize the status quo at the expense of the interests of Serbs and other non-Albanians.

The just contention of the Government of the FR of Yugoslavia, contained in the letter of the charge d'affaires of the Permanent Mission of the FR of Yugoslavia to the United Nations to the President of the Security Council on 22 September 1999, to the effect that the decision of UNMIK on an alleged transformation of the terrorist so-called Kosovo Liberation Army into a supposedly civilian organization, the Kosovo Protection Corps, has no legal basis whatsoever in Security Council resolution 1244 (1999) and in the relevant documents and that, consequently, it is one of the main generators of the exacerbation of the crisis in Kosovo and Metohija has been amply borne out by the developments in that Serbian province.

The attack of well-armed members of the so-called Kosovo Protection Corps on a patrol of the Ministry of the Interior of the Republic of Serbia near Bujanovac, outside the administrative area of Kosovo and Metohija, provides telling evidence that the so-called Kosovo Protection Corps is no "civilian" structure and that its members are just re-cycled terrorists of the terrorist so-called Kosovo Liberation Army, with its combat structure and command personnel fully preserved as a core of some future Albanian military in Kosovo and Metohija, as publicly advertised by its "commander", the notorious terrorist Agim Cheku.

- "Kouchner's passports": Regulation of the Special Representative No.2000/18 of 29 March 2000 whereby UNMIK arrogated the powers to issue identification documents to Yugoslav citizens of Kosovo and Metohija is the culmination of arbitrariness and illegality. An act of the most flagrant violation of the basic principles of the Charter of the United Nations and the provisions of Security Council resolution 1244 (1999), in particular those relative to the sovereignty and territorial integrity of the FR of Yugoslavia, the regulation is legally null and void and politically manipulative and harmful as it breeds ethnic Albanian separatism.

The Government of the FR of Yugoslavia condemns and is against any act aimed at breaking up the unified regime of issuance of identification documents to Yugoslav citizens, all the more so as the relevant authorities of the FR of Yugoslavia and the Republic of Serbia are competent to, and can, issue identification documents to all their citizens irrespective of the place of residence. The obligation of UNMIK and KFOR is to ensure appropriate security, technical and other conditions so that this constitutional obligation could be fulfilled without any difficulty throughout the Province.

Acceptance by any State or international organization of "Kouchner's passports" and other personal documents issued illegally by UNMIK would be an act of flagrant violation of the principle of respect for the sovereignty and territorial integrity of the FR of Yugoslavia and would, necessarily, be followed by appropriate reciprocity measures.

Functioning of the judiciary: Security Council resolution 1244 (1999) envisages that the judicial system in Kosovo and Metohija operates in line with the Yugoslav legislation and within the judicial system of the Republic of Serbia and the FR of Yugoslavia.

Through an illegitimate and illegal regulation, the Special Representative has established judicial organs in Kosovo and Metohija which conduct criminal proceedings without honouring the Yugoslav laws in force and violating the basic principles of criminal law set forth in international conventions.

Particularly reprehensible and unbecoming of a United Nations mission is the practice of double standards applied to Serbs and Montenegrins in cases of arrest, institution and conduct of investigation, detention, determination of the right to defence, use of the mother tongue etc.

UNMIK has shown exceptional tolerance to ethnic Albanians. Even those against whom there is firm and serious incriminating evidence are released. Serbs, Montenegrins and other non-Albanians, however, are being illegally arrested on the basis of fraudulent information supplied by ethnic Albanians alone and held in detention more than six months without being indicted on the basis of the illegal acts of the Special

Representative and contrary to the Yugoslav laws and international standards in this field.

43 Serbs, illegally and arbitrarily arrested by KFOR and UNMIK, have been kept in detention in a prison in Kosovska Mitrovica already for ten months. They have not been investigated or tried yet. On 10 April, 37 detained Serbs and 5 Roma went on hunger strike. Their decision was influenced by the release of Gjeral Ademi, an ethnic Albanian investigated for a hand grenade attack in which 22 Serbs and 14 French KFOR soldiers had been injured. Examining the strikers on 6 May, doctors from the Medical School of the University of Priština found out that their health was rapidly deteriorating and that eleven of them were in critical condition. On 7 May, one of the strikers, Arsenije Vitošević, suffering from a chronic heart condition, was taken to the City Hospital. Exhausted, with high blood pressure and heart problems, he is in the intensive care unit. He is given infusion and is in a bad mental condition (His son was kidnapped by "KLA" terrorists two years ago and he has not heard from him ever since). Doctors have suggested that another 10 detainees be brought to hospital because of exhaustion and dramatic health conditions. They called on UNMIK judicial and police authorities to end the detention of hunger strikers so that their condition could improve and stabilize.

Serbs and Montenegrins are arrested even as witnesses. While in detention, they are pressured to make confessions that are wanted from them. Similarly, Serbs and Montenegrins are discriminated against with regard to the right of defence, while UNMIK provides them no protection either as defendants, defence counsels or witnesses for the defence.

The fact that not a single trial has been held in the District Court of Kosovska Mitrovica, established on 1 September 1999, because of the impotence of the UNMIK police to provide security is a clear illustration of the gravity of the situation in the judiciary, brought about by the illegal decisions and attitude of UNMIK.

Construction of military bases: The Government of the FR of Yugoslavia condemns and opposes the construction of KFOR military bases in a part of the sovereign territory of the FR of Yugoslavia without its approval. The construction constitutes the most flagrant violation of the sovereignty of the FR of Yugoslavia and the provisions of Security Council resolution 1244 (1999), as well as the laws in force in the Republic of Serbia and the FR of Yugoslavia. The construction of foreign bases without approval of the receiving State is contrary to the character and spirit of peace missions under the auspices of the United Nations and constitutes a dangerous precedent, contrary to the principles and purposes of the United Nations.

Military exercises of NATO/KFOR: The Government of the FR of Yugoslavia condemns and opposes military exercises of KFOR (NATO) in Kosovo and Metohija, under whatever pretext, as they violate the territorial integrity and sovereignty of the FR of Yugoslavia in a most flagrant way. Sabre-rattling in Kosovo and Metohija, far from being a function of security of all its residents, is just another form of support to Albanian terrorists and their attempts to cement the mono-ethnicity of the Province as a basis for its full separation from the constitutional and legal systems of the Republic of Serbia and the FR of Yugoslavia. The provocative conduct on the part of KFOR seriously destabilizes the region and constitutes a direct threat to peace and stability in Europe.

Although it is duty-bound to prevent every act of violation of its resolution 1244 (1999) and to eliminate all sources of instability in the region, the Security Council has done nothing to protect the sovereignty and territorial integrity of the FR of Yugoslavia whereby it has violated not only the key provisions of the resolution, but also the principles and goals of the Charter of the United Nations.

Representation of some foreign countries: Despite the warnings and protests of the Government of the FR of Yugoslavia, UNMIK continues to tolerate foreign para-diplomatic missions in Kosovo and Metohija,

opened without consultations with, and approval of, the Government of the FR of Yugoslavia and in gross violation of the principle of the sovereignty and territorial integrity of the FR of Yugoslavia. The attempt of the Special Representative to provide a legal semblance (Draft Regulation on the "Immunities and Privileges of the Liaison Offices of Foreign Governments in Kosovo") is a direct attack on the sovereignty and territorial integrity of the FR of Yugoslavia and a gross violation of the principles of the United Nations Charter, provisions of the Vienna Conventions on diplomatic and consular relations and the Convention on the Privileges and Immunities of the United Nations as well as of prevalent international practice.

Non-display of State symbols: The fact that the symbols of the State of the FR of Yugoslavia, primarily its flag, are not displayed at its international borders with Albania and Macedonia and that other border signs have been removed constitutes a gross violation of the sovereignty and territorial integrity of the FR of Yugoslavia.

The Government of the FR of Yugoslavia wishes to reiterate that it has never ceded or that it intends to cede the sovereignty over any part of its territory and condemns in a most resolute way the tactics of deception and the diversion of attention from the alliance of UNMIK and KFOR with the terrorist so-called Kosovo Liberation Army. In particular, it repudiates all acts carried out along the line of fait accompli.

The sovereignty and territorial integrity of the FR of Yugoslavia are inviolable and final: the FR of Yugoslavia considers null and void and without any legal effect and as non-binding on itself the conduct and decisions of KFOR and UNMIK, particularly those of the Special Representative and Head of UNMIK, including the decision to establish the "Interim Administration Council of Kosovo", which disregard or violate the principle of the sovereignty and territorial integrity of the FR of Yugoslavia, as well as all measures, acts and omissions of acts which are contrary to Security Council resolution 1244 (1999) and the Military Technical Agreement or represent an attempt at their revision.

2. Massive violations of human rights

Terror and violence¹: Albanian terror and violence, the ethnic cleansing of, and genocide against, non-Albanians, primarily Serbs and Montenegrins, but also the Roma, Muslims, Turks, Goranci and other non-Albanians, the destruction of their homes, usurpation and destruction of private and State property and rampant crime and chaos in Kosovo and Metohija continue unabated despite the presence of several dozen thousand of well-armed members of KFOR and more than 2,000 UNMIK policemen. These provide convincing evidence of the failure of KFOR and UNMIK to fulfil their basic obligations under the mandate, particularly in terms of guaranteeing full personal and property security and safety to all residents of Kosovo and Metohija, Serbs and Montenegrins in particular, the victims of systematic ethnic cleansing, terror, killing and abduction.

The Government of the FR of Yugoslavia demands from KFOR and UNMIK to fulfil without delay all their obligations and to create conditions for a safe return of all expelled persons to Kosovo and Metohija.

Ethnic cleansing: Since the deployment of KFOR and UNMIK, more than 350,000 Serbs, Montenegrins, Roma, Muslims, Turks, Goranci and other non-Albanians, accounting for two thirds of the entire non-Albanian population of Kosovo and Metohija, have been forcibly driven out of the province.

However, Albanians themselves, loyal citizens of the Republic of Serbia and the FR of Yugoslavia

¹ Detailed overview of terrorist activities of Albanian terrorists is given in the appendix.

who refuse to toe the line, are increasingly being targeted by Albanian terrorists and criminals. A glaring example was the abduction of the Kajtazi brothers, Noa and Nua, two catholic Albanians, in the village of Zjum last March. The terrorists abducted them for being loyal citizens of the FR of Yugoslavia. They demanded DEM 40,000 as ransom money, looted their house and beat the members of their family. Furthermore, the terrorists of the so-called Kosovo Liberation Army continue to harass about 65,000 catholic Albanians in the Prizren and Djakovica areas, accusing them of "complicity" with the Serbs. Particularly strong pressure is put by the terrorist so-called Kosovo Liberation Army on the Goranci to Albanize them and on the Slav Muslim community in the municipality of Istok because of their loyalty to the State of the FR of Yugoslavia.

The fact that the alleged searches of Serbs in Kosovska Mitrovica by KFOR at the end of February was used by Albanian terrorists to expel an additional 16,000 Serbs and Montenegrins is very alarming indeed. It is evident that this form of intimidation of the Serbs of Kosovska Mitrovica, with direct participation of the members of KFOR, is just another example of the tested policy of harassment of the Serbs, aimed at completing the ethnic cleansing of Kosovo and Metohija.

Terrorism: 4,792 terrorist attacks (4,511 against Serbs and Montenegrins) were carried out in the period from 10 June 1999 through 7 May 2000. 1,010 persons (888 Serbs and Montenegrins) were killed; 924 (867 Serbs and Montenegrins) were wounded and 936 (860 Serbs and Montenegrins) were abducted. More than 50,000 homes, mostly those belonging to Serbs, Montenegrins and Roma, were destroyed, burned down or severely damaged.

The latest serious crimes: Albanian terrorists continued their terror in April and May. Behind it is the desire to frighten the remaining Serbs and other non-Albanians and make them leave Kosovo and Metohija. The manner in which these crimes are committed is yet further proof that Albanian terrorists have neither been disarmed nor demilitarized. The most brutal crimes include: repeated shelling of the village of Goraždevac on 10 and 25 March and 22 April; murders of Gashi Sheqeri in his home in the village of Rogovo, municipality of Djakovica, and of a minor Roma, whose identity has not been established but who was killed by the members of the so-called Kosovo Protection Corps Bajram Gashi and Hallim Shala on 30 March; hand grenade attack on the apartment of Franjo Milić, a Croat, in Obilić on 3 April; monstrous murder of the 87-year Metodije Haljausku, a Czech, in Priština on 3 April who was shot in the back of the head; mortar attack on a group of Serbs on 5 April who played football in a field in the village of Cernice in which two persons were injured; attack by eight terrorists on Stojan Petronijević in the courtyard of his family house in the village of Babin Most, municipality of Obilić on 5 April; murder of Dobrivoje Jovanović in Gnjilane on 9 April; mining of the Orthodox Church of Our Lady at Zočište for the third time on 18 April; mortar attack on an apartment building in downtown Priština on 18 April housing Serbs and Turks in which two persons were wounded; murder of Srdjan Marković from the village of Badovac on 21 April who was travelling in his car to visit friends; murder of Stojanka Stojanović, 65, in Gnjilane in mid-April whose body was found on 26 April; terrorist attack on a bus ferrying Serbs to church service in an Orthodox church in Kosovska Mitrovica on 28 April; vandal desecration of Serbian cemeteries and the destruction of tombstones in the village of Glavotina, municipality of Vučitrn, on 26 April and in the villages of Ajvalija on 28 April and Klobukar, municipality of Novo Brdo, on 30 April; mining of the 16th-century Orthodox Church of St. Nicholas in the village of Grnčar, municipality of Vitina on 28 April; brutal murder of Milorad Perić, 50, in the village of Pasjane as he worked in his field on 29 April; terrorist bombing of a group of children and villagers in Crkvena Vodica, municipality of Obilić, on 2 May in which several children were injured; bombing of the house of Hadžija Aguši, 74, a Roma, who died of the wounds she sustained on 29 April; murder of Živko Stolić, 67, in Kosovska Vitina on 6 May who was brutally tortured and killed; attack on the Serbian family Kojić in Kosovska Vitina in the

courtyard of their home in which two adults and two children were hurt.

New forms of ethnic cleansing and other serious crimes against Serbs: Instead of providing full security to Serbs, KFOR resorts to the use of brute force, harassment and physical violence, including causing damage to Serbian property, new forms of ruthlessness on the part of the international presences aimed at sending a clear message to Serbs.

Particularly drastic incidents occurred in Kosovska Mitrovica between 20 and 25 February and in the villages of Mogila on 25 and 26 February in which Serbian houses were searched with brutal physical force, Draganovac, municipality of Gnjilane, and Miliče, municipality of Leposavic, Mali Zvečan on 27 February, Gornje Kusce on 1 March and in the Serbian villages of Rudare and Grabovac on 1 March. The searches were conducted by KFOR alongside the terrorists of the so-called Kosovo Liberation Army, wearing uniforms of international security forces in an undisguised display of the existence of strong links between KFOR and the so-called Kosovo Liberation Army.

The illegality and brutality of that action, conducted by US and German contingents of KFOR, were condemned also in the OSCE report of 21 February 2000 in which it is said that, by the action, KFOR violated the provisions of the International Covenant on Civil and Political Rights. The Special Representative and Head of UNMIK was also advised of the illegality and brutality of the operation.

A drastic example of KFOR brutality against Serbs occurred also in the villages of Dobrotin on 2 April, Sevce on 4 April and Lepina and Jažine when KFOR members set the dogs on Serbs, gathered to protest their difficult situation. A larger number of protesters were hurt. KFOR also intervened brutally to disperse Serbs demonstrating at Gračanica on 7 April, on which occasion many people were injured.

In order to wipe out everything belonging to Serbs and to prevent Serbs and Montenegrins from returning home, Albanian terrorists increasingly resort to the destruction of entire Serbian settlements. This is borne out by the razing of 250 houses in the village of Belo Polje near Peć on 15 April. Bulldozers were also used to level down Serbian houses in the villages of Brežanik and Osojane, while 14 Serbian villages in the municipality of Vitina are there no more. In late April, Albanian terrorists announced that they were going to carry out similar organized action aimed at sacking Serbian houses in the villages around Istok and Novo Brdo.

The gravity of the crimes committed by Albanian terrorists and the responsibility of UNMIK and KFOR are even greater since they were committed in regions publicly designated by UNMIK as places to which, according to UNMIK's "pilot" project, expelled Serbs and Montenegrins should return in large numbers.

Instead of enjoining the international presences to take all necessary measures to lift months-old blockades of Serbian towns and villages and to ensure full security and normal supply to their inhabitants, the United Nations has openly put itself at the service of those who are after forcing the Serbs to leave their few remaining enclaves. Thus, UNHCR intends to put in place an action aimed at moving Serbs out of Orahovac on the pretext of humanitarian grounds. Explaining its intention by the precarious security situation, UNHCR has stopped regular humanitarian convoys between Orahovac and Kosovska Mitrovica so as to prevent the return of Serbs. In addition, KFOR and UNMIK countenance the flying of the flag of the Republic of Albania on the local Clock Tower, the symbol of Serbian existence in that town, thus offending Serbs' national feelings, with the aim of intimidating them into departing the town.

Terrorists attacks outside the Province: In the belief that the destabilization of the situation on a wide territory will facilitate the achievement of their separatist goals, Albanian terrorists are seeking to spread terror, chaos and lawlessness outside Kosovo and Metohija to other parts of the Republic of Serbia and the FR of Yugoslavia, which would not be possible without outright support and assistance by members of KFOR and UNMIK, whose responsibility is to prevent security violations within the administrative territory of this

Serbian province. The fact that the members of the so-called Kosovo Protection Corps take part in terrorist attacks outside Kosovo and Metohija provides ample evidence that Albanian terrorists of the so-called Kosovo Liberation Army have neither been disarmed nor demilitarized and that, least of all, the so-called Kosovo Protection Corps is a civilian structure.

"Labour camps" and prisons for Serbs: The terrorist so-called Kosovo Liberation Army detains 472 abducted Serbian civilians throughout Kosovo and Metohija. The abductees are placed in "labour camps" under rigorous control of this terrorist organization where they are subjected to extremely cruel and inhuman treatment. The "labour camps" are located in the village of Matičane, 15 kilometres away from Priština, in the greater Prizren area (on the "Ortokal" estate on the road leading to Djakovica) and in Drenica. Access to these people is strictly forbidden, even to ICRC representatives.

The prisons run by the terrorist so-called Kosovo Liberation Army for Serbs, Montenegrins and other residents of Kosovo and Metohija who are not supportive of Albanian terrorism are located in the village of Brod in the municipality of Dragaš; near the village of Junik, municipality of Decani, on the road to Djakovica; in the villages of Glodjane, Izbica and Strovce in the district of Kosovska Mitrovica; and on the premises of "ŽTP-Uroševac" in Uroševac.

Combing the area in the hills above Kačanik, KFOR came across a camp run by Albanian terrorists. However, it failed to free the detained Serbs as they were heavily guarded by a large number of terrorists of the so-called Kosovo Liberation Army.

Some 350 Serbs, abducted in Kosovo and Metohija, are incarcerated also in prisons in the Republic of Albania. The international presences are aware of these incarcerations. Despite the fact they constitute a most inhuman violation of individual human rights and freedoms, the international presences have done nothing to free the abducted Serbs.

Other representatives of the international community (United Nations Secretary-General, the Security Council, the International Committee of the Red Cross, Mrs Sadako Ogata, Mr. Jiry Dienstbier and others) have been given the lists of all abducted Serbs, yet nothing has been done to release the still surviving abductees.

Attacks on aid convoys: Attacks on aid convoys and the prevention of delivery of basic food and medical supplies to Serbs under months-long blockades have become increasingly frequent and constitute a special form of genocide against Serbs, calculated at their physical elimination. In this respect, particularly striking examples are the following: attacks on convoys of Serbs headed for Štrpce near the village of Radivojce on 22 and 29 February; attack on a convoy of Serbs en route to Koretište in the village of Dobrčane on 28 February; attack on a bus ferrying Serbian children from school on the road between Gornje Kusce and Koretište on 29 February; attacks on convoys of Serbs in the village of Koretin on 6 and 20 March; attacks on convoys of Serbs in Gnjilane on 7 and 10 March; attack on a convoy of Serbs in the village of Dobrovce on 27 March; attack on a convoy of Serbs on the Bujanovac-Gračanica road on 11 April; attack on a convoy of Serbs from Štrpce in the village of Požarenje, municipality of Vitina on 18 April.

KFOR has failed to prevent the terrorist attacks and refuses to provide security escorts. Lieutenant Peter Ramstell, KFOR, Kosovska Mitrovica area, banned all KFOR security escorts for buses transporting Serbian schoolchildren and sick persons to Gračanica on 1 March and refuses to provide escorts to convoys between Merdare and Kosovo Polje. This is further proof that KFOR does not carry out its obligations under Security Council resolution 1244 (1999), whereby it encourages Albanian terrorists to continue their daily violence against Serbs unperturbed, aimed at forcing them to leave Kosovo Polje and other towns and villages.

Destruction of cultural and historic sites: Destruction of Serbian cultural monuments, the symbols of centuries' old roots of Serbian statehood and spirituality in the region of Kosovo and Metohija continues unabated. 86 churches and medieval monasteries have been destroyed, burned or seriously damaged.

Discrimination and a cultural and spiritual genocide against Serbs: By its actions, UNMIK continues to tolerate and encourage discrimination against Serbs, especially in education (the closing-down of universities and schools), culture and the media in the Serbian language, despite frequent avowals that its aim is to preserve the multi-ethnic, multi-cultural and multi-religious structures in Kosovo and Metohija. Such attitude of KFOR and UNMIK in areas in which Serbs live in large number is eloquent evidence that they aid and abet the aspirations of Albanian terrorists towards breaking apart the ethnically compact Serbian communities and that they, too, put pressure on Serbs to leave their ancestral homes.

Discrimination against Serbs and Montenegrins is evident also in the judiciary, education and employment.

UNMIK's policy of double standards and favouritism against Serbs have accounted for the loss of employment not only by Serbs, but also the Roma, Muslims, Turks and Goranci and nothing is being done to ensure their reinstatement, even though many of them have been thrown out of their jobs by force. Since the deployment of KFOR and UNMIK, 43,000 Serbs have been dismissed post-haste in Kosovo Polje alone; public companies (Elektrodistribucija, PTT, Telecom, customs, railways etc.), whose workforce used to be ethnically mixed, now employ Albanians alone; 1,000 university students and 1,500 secondary school students of Serbian nationality have been deprived of the right to education; forced Albanization and the removal of all traces of Serbian existence are the order of the day. Streets, settlements and institutions are being renamed. UNMIK is a willing participant in these practices. This is evinced by the example of the town of Zvečan, where UNMIK's local administrator requested from senior officials in the municipality and the managers of public companies that all municipal institutions be renamed and that the word "Serbia" be expunged. This is an inadmissible act of a direct violation of the sovereignty and territorial integrity of the Republic of Serbia and the FR of Yugoslavia is highly inappropriate to what the world Organization stands for.

All along, there obtains a blatant favouritism towards Albanians, irrespective of the lack of professional skills on their part, which constitutes a most flagrant violation of the principle of equality and multi-ethnicity.

KFOR and UNMIK bear sole responsibility for massive violations of human rights in Kosovo and Metohija, lawlessness, chaos and breaches of the provisions of Security Council resolution 1244 (1999) relating to the preservation of the multi-ethnic, multi-religious and multi-cultural character of Kosovo and Metohija by becoming outright accessory to ethnic cleansing and genocide.

3. Disarmament of the terrorist so-called Kosovo Liberation Army

Daily terror, violence, the killing of Serbs and the destruction of their homes and settlements, cafes and other places frequented by Serbs in greater numbers in the remaining Serbian enclaves and attacks on civilians and Yugoslav security forces beyond the boundaries of Kosovo and Metohija, in which even heavy weapons are used, provide abundant evidence that the terrorists of the so-called Kosovo Liberation Army have not been disarmed.

Leaders of these terrorist/separatist formations, Hashim Thaqi, Agim Cheku and others, continue to openly call for independence for Kosovo and Metohija, with the so-called Kosovo Protection Corps, in effect the "transformed" terrorist so-called Kosovo Liberation Army, as an embryo of its future Albanian army.

The Government of the FR of Yugoslavia reiterates once again its position, expressed in the

letter of the charge d'affaires of the Permanent Mission of the FR of Yugoslavia to the President of the Security Council on 22 September 1999, that the alleged transformation of the terrorist so-called Kosovo Liberation Army into the so-called "Kosovo Protection Corps" was a charade and a manipulation, staged to avoid the obligation to genuinely demilitarize and disarm this illegal terrorist organization. This has been borne out by the situation in on the ground and is increasingly being openly recognized even in the biased Western media and political circles.

KFOR and UNMIK, and the Special Representative in particular, bear full responsibility for the failure of the international presences to demilitarize and disarm the terrorist so-called Kosovo Liberation Army and for the establishment, with their blessing, of an illegal Albanian armed formation, composed mostly of notorious Albanian, as well as international, terrorists, recruited in neighbouring and other States known for fomenting international terrorism. There is information that Islamic extremists from Chechnya are sheltered in large numbers in Kosovo and Metohija where they enjoy the protection of KFOR and UNMIK.

Criminalization of Kosovo and Metohija: The refusal of KFOR and UNMIK to carry out their mandates faithfully, primarily with respect to securing the international borders of the FR of Yugoslavia with Albania and Macedonia, is evinced by their patronizing attitude towards Albanian terrorists and separatists who enter the FR of Yugoslavia without hindrance which accounts for general criminalization of, and chaos in, the southern Serbian province.

Due to the failure to protect the border in flagrant violation of Security Council resolution 1244 (1999), KFOR and UNMIK have allowed illegal entry into Kosovo and Kosovo of hundreds of thousands of criminals and looters from Albania who have been instrumental in spilling over the chaos from Albania. Kosovo and Metohija has, thus, been turned into a stronghold of international organized crime and terrorism and a haven of narco-mafia, smugglers of arms, purveyors of white slavery, juvenile crime and prostitution with footholds in Central and Western Europe who have had their share in spreading crime to, and destabilizing, Europe and preventing the ongoing integration processes. This state of affairs casts a long pall of disgrace over the United Nations.

According to German federal police, Albanian criminals and terrorists in Kosovo and Metohija are responsible for the import of 80 per cent of Europe's heroin. The annual "revenue" from the laundering of "proceeds" from illicit trafficking in drugs and arms through a network of 200 banks and foreign exchange bureaux amount to US\$ 1.5 billion. Even in the West, notorious for its bias towards Albanians, it is no longer concealed that 30-50 per cent of the money spent on arms by the terrorist so-called Kosovo Liberation Army derives from illicit drug trade.

Preparation made by UNMIK to re-admit tens of thousands of Albanian criminals from Switzerland, Germany and other countries of Western Europe is irrational and absolutely unacceptable in view of the fact that Kosovo and Metohija has already become a hub of organized crime in Europe and in conditions of general chaos, lawlessness and the absence of minimum safety for its residents, primarily Serbs, Montenegrins and other non-Albanians. If carried out, the re-admission will, no doubt, intensify the ethnic cleansing of Serbs, Montenegrins, Roma and other non-Albanians, as well as of those who will not accept to bow to criminals and terrorists.

4. Voter registration and local elections in Kosovo and Metohija

Under Security Council resolution 1244 (1999), UNMIK has no authority to conduct voter registration and issue personal identification documents to Yugoslav citizens of Kosovo and Metohija. In accordance with the sovereignty and territorial integrity of the FR of Yugoslavia, that right has been vested in the competent

State authorities of the Republic of Serbia and the FR of Yugoslavia alone, in line with the existing legislation.

UNMIK has no authority to conduct local elections in Kosovo and Metohija, not without explicit approval and participation of the competent authorities of the Republic of Serbia and the FR of Yugoslavia; it may only monitor them.

The Government of the FR of Yugoslavia reiterates its commitment to holding fair and democratic elections in Kosovo and Metohija. However, such elections will be possible to organize only after necessary conditions have been created and after appropriate structures of local government (substantial autonomy) for which elections will be held have been established as an outcome of a comprehensive political process, with active and equal participation of the official authorities and institutions of the Republic of Serbia and the FR of Yugoslavia and the representatives of all ethnic communities in Kosovo and Metohija.

Against a background of continuing terror, unrelenting ethnic cleansing of the last remaining Serbs and other non-Albanians and without proper conditions for the return of over 350,000 expellees and with the illegal presence of hundreds of thousands of foreign citizens in Kosovo and Metohija, it is evident that there exist not even the basic conditions for voter registration in the context of the preparation of holding elections soon. Disregard for these facts and the insistence of OSCE and UNMIK on proceeding with voter registration in the circumstances are an attempt to impose the policy of fait accompli and legalize local para-statal institutions set up by the terrorist so-called Kosovo Liberation Army after the deployment of KFOR and UNMIK in Kosovo and Metohija and, by the same token, to destabilize this Serbian province with the aim of furthering the separatist goals of Albanian extremists.

The Government of the FR of Yugoslavia repudiates all attempts to call elections in Kosovo and Metohija soon before the creation of basic conditions, i.e. before consolidation of peace and stability under Security Council resolution 1244 (1999).

To that end, it is necessary to ensure a free and safe return of all expelled Serbs and other non-Albanians, to deport more than 200,000 foreign nationals who entered Kosovo and Metohija illegally after the deployment of KFOR and UNMIK and to reach agreement with the Government of the FR of Yugoslavia on the basic parameters of a political settlement for Kosovo and Metohija in line with Security Council resolution 1244 (1999).

5. Parameters of "substantial autonomy" of Kosovo and Metohija

Attempts to determine parameters of "substantial autonomy" of Kosovo and Metohija outside the constitutional and legal framework of the FR of Yugoslavia and the Republic of Serbia are illegal, especially if done without active participation of their competent authorities.

The Government of the FR of Yugoslavia condemns all "projects" about the future status of autonomy and self-government that provide for the separation of this Serbian province from the present constitutional and legal system of the Republic of Serbia and the FR of Yugoslavia and have no grounding either in Security Council resolution 1244 (1999) or in the constitutional order of the FR of Yugoslavia which is inviolable.

The FR of Yugoslavia will not accept, nor will it be bound in any way by, any act which strives to impose outside solutions on Kosovo and Metohija irrespective of their source or provenience. Consequently, it repudiates each and every attempt by the Security Council to legalize any document that would contain parameters for the future status of autonomy for Kosovo and Metohija, formulated without direct participation by the official representatives of the Republic of Serbia and the FR of

Yugoslavia.

Democratic and fair solution calls for political agreement, to be reached with full and equal participation of the representatives of the Republic of Serbia and the FR of Yugoslavia and the representatives of all ethnic communities in Kosovo and Metohija after all relevant preconditions have been created:

- ensurance of full security to all residents;
- safe return of all expelled and displaced Serbs and other non-Albanians;
- disarmament of all terrorists and disbandment of the combat structures of the terrorist so-called Kosovo Liberation Army, i.e. the disestablishment of the illegal Kosovo Protection Corps;
- suspension of all illegal decisions of the "Interim Administrator" and of local para-statal and para-political structures based on those decisions;
- ensurance of full respect for, and the application of, the Constitutions and laws of the FR of Yugoslavia and the Republic of Serbia;
- normal functioning of the competent State authorities and institutions of the FR of Yugoslavia and the Republic of Serbia; and
- creation of conditions for the establishment of democratic, multi-party structures in Kosovo and Metohija.

The Government of the FR of Yugoslavia wishes to recall that, on 15 March 1999 during the negotiations in Paris, the State delegation of the Republic of Serbia signed an agreement with the representatives of all ethnic communities in Kosovo and Metohija on provincial self-government. The signing of the agreement is telling proof of its commitment to having the question of autonomy and self-government in Kosovo and Metohija resolved only by political means, based on guarantees of full equality of all its residents and ethnic communities. It was only the representatives of Albanian political parties who refused to sign the agreement, the representatives of the parties whose platforms are based on separatism and which resort to terrorism as a vehicle to achieve that goal. In refusing to sign the agreement, those parties demonstrated loud and clear that their sole concern was to achieve full "independence" of this Serbian province from "Belgrade", in other words, they were interested only in the project that implies the change of the State borders of the FR of Yugoslavia and the Republic of Serbia in direct contravention of the Charter of the United Nations, the Helsinki CSCE/OSCE principles and the letter and spirit of Security Council resolution 1244 (1999) and the related documents.

6. The return of the Yugoslav Army (VJ) and police (MUP)

The continued refusal to implement the express provisions of Security Council resolution 1244 (1999) (op. para. 4, subparas. 6 and 10, Annex 2) and the Military Technical Agreement (para 4) on the return of the VJ and MUP personnel to Kosovo and Metohija is unjustified and unacceptable. This all the more so as KFOR and UNMIK have repeatedly shown to be totally ineffective in ensuring security to all residents of Kosovo and Metohija, peace and the rule of law and to guarantee full personal and property safety and a safe and unimpeded return of all expelled Serbs and other non-Albanians. By such attitude, KFOR and UNMIK condone the interests of Albanian terrorists and separatists and encourage them to continue their ruthless terror against Serbs and other non-Albanians, aimed at completing the ethnic cleansing of Serbs and other non-Albanians in Kosovo and Metohija.

The Yugoslav Government insists that this obligation be fulfilled immediately and without any conditions, in the interest of all residents of Kosovo and Metohija and the protection of the sovereignty

and territorial integrity of the FR of Yugoslavia and the Republic of Serbia.

7. Responsibility of the Security Council

The Security Council, as the guarantor of its resolution 1244 (1999), bears full responsibility for the non-implementation and gross violations of the key provisions of the resolution, primarily those reaffirming the sovereignty and territorial integrity of the FR of Yugoslavia on its entire territory.

So far, the Security Council has failed to take appropriate measures to put an end to the continued gross violations of the provisions of the resolution and the related documents by KFOR and UNMIK, which accounts for the unfurling of alarming developments in Kosovo and Metohija, fraught with far-reaching harmful consequences for the entire region. The failure reveals a lack of readiness on the part of the Security Council to fulfil its obligations arising from the Charter, which makes it directly responsible for the grave situation created in this Serbian province, as well as for the negative consequences that may arise if the Security Council continues to turn a blind eye also in the future.

The Government of the FR of Yugoslavia requests that, in accordance with its obligations, the Security Council take immediate and urgent measures to implement strictly its resolution 1244 (1999) and the related documents and thus help improve the situation in Kosovo and Metohija and prevent further violations of the sovereignty and territorial integrity of the FR of Yugoslavia.

Considering that the Security Council is the sole body responsible for a consistent implementation of its resolution 1244 (1999) and the related documents, the Government of the FR of Yugoslavia repudiates the attempts to delegate, in whatever part, the competencies of the Security Council deriving from the resolution to narrow extraneous groups with interests outside the Security Council, such as G-8, Contact Group et al. The Government of the FR of Yugoslavia cannot accept and will consider non-binding all decisions taken by ad hoc bodies, with mandates established outside the competencies and control of the international community and the Security Council, in particular.

8. Visit of the Security Council Mission

The visit of the Security Council Mission to the FR of Yugoslavia and the talks it had in Kosovo and Metohija on 27-29 April came in the train of the initiative that the Government of the FR of Yugoslavia has put forward ever since the deployment of the international presences under United Nations auspices. The visit of the Mission was very significant as it represented the first effort taken by the Security Council to obtain first-hand knowledge of the dramatic situation in Kosovo and Metohija. The Government of the FR of Yugoslavia specifically welcomes the visit of the two members of the Mission, the Permanent Representatives of the Russian Federation and the People's Republic of China, to Belgrade where they were received by the President of the FR of Yugoslavia, Slobodan Milošević, and had an exhaustive exchange of views with the Minister for Foreign Affairs, Živadin Jovanović, and other officials of the Yugoslav Government.

The members of the Mission had an opportunity to acquaint themselves in greater detail with the serious and dramatic situation in Kosovo and Metohija, brought about by flagrant and systematic violations of Security Council resolution 1244 (1999) and the related documents. Regrettably, the Report submitted to the Council by the Mission on 29 April (S/2000/363), especially its findings, falls short of reflecting the situation on the ground and seeks, in parts, to gloss over the failures of UNMIK and KFOR, and of the Special Representative, in particular.

The Government of the FR of Yugoslavia deems as extremely dangerous the fact that the inviolability of the sovereignty and territorial integrity of the FR of Yugoslavia, one of the most important elements of Security Council resolution 1244(1999) and an essential precondition for a political settlement in Kosovo and Metohija, has not been reaffirmed in the Report.

Similarly, the Report has avoided to point out that the main cause of all negative developments in Kosovo and Metohija has been the failure to disarm the terrorist so-called Kosovo Liberation Army and the commission of most serious crimes by its members before and during the aggression of the North Atlantic Treaty Organization (NATO) against the FR of Yugoslavia, as well as in its aftermath, notwithstanding the presence of some 50,000 international soldiers and policemen. The Report contains no information as to the extent of crimes committed in Kosovo and Metohija and the gravity of the situation. Failure by KFOR and UNMIK to preserve the multi-ethnic, multi-religious and multi-cultural character of Kosovo and Metohija is self-evident. It is therefore disingenuous and inappropriate to contend that significant progress has been achieved in the implementation of the resolution and to recognize and support the "efforts" of the Head of UNMIK.

Setting conditions on the return of expelled Serbs and other non-Albanians is indicative of double standards and conducive to the alteration of the demographic structure of Kosovo and Metohija. The registration of voters and the holding of local elections in the autumn, before even the minimum conditions have been created, is designed to achieve the same goals.

The Government of the FR of Yugoslavia condemns all attempts to revise or annul, under the pretext of concern for the missing persons, Security Council resolution 1244 (1999) and calls for an urgent solution to this important humanitarian issue within the framework of existing international fora in this field. It is of the opinion that the attempts are aimed at diverting attention from the main causes of the problems that beset Kosovo and Metohija, the persistent, deliberate and systematic violation of Security Council resolution 1244(1999) and the related documents.

The Government of the FR of Yugoslavia considers that, despite its shortcomings, the Report of the Security Council Mission has borne out the validity of its repeated warnings that, even almost eleven months after the adoption of Security Council resolution 1244 (1999), UNMIK and KFOR have not fulfilled a single obligation entrusted them by the Security Council. It is fair to point out in that context that the FR of Yugoslavia and the Republic of Serbia have fulfilled all their obligations faithfully.

The Government of the FR of Yugoslavia expects that the Report of the Mission will serve as a basis and encouragement to the Security Council to take energetic action and an active stance regarding a consistent implementation of its resolution 1244(1999) and the related documents. To that end, it may continue to count on the full support and co-operation of the FR of Yugoslavia.

III. CURRENT DEVELOPMENTS IN KOSOVO AND METOHIJA

1. Performance of KFOR and UNMIK

The 11-month presence of KFOR and UNMIK in the southern Serbian province is characterized by a gaping disparity between expectations and achievements. Wide-spread crime, chaos and lawlessness, large-scale terror, genocide and the ethnic cleansing of Serbs and other non-Albanians continue unabated; armed Albanian extremists, members of the terrorist so-called Kosovo Liberation Army, in particular, destroy, loot or usurp their homes and property, as well as the property of the State.

Multi-ethnic Kosovo and Metohija – an exercise in hypocrisy by KFOR and UNMIK: Negative developments in Kosovo and Metohija, brought about by the non-implementation of Security Council resolution 1244(1999) and its flagrant violation by KFOR and UNMIK, have revealed the charade of the KFOR and UNMIK commitment to the preservation of the multi-ethnic structures in Kosovo and Metohija. The disastrous course of the mission engineered by the international presences under the auspices of the United Nations has dealt a serious blow to the reputation and credibility of the world Organization. Particularly

reprehensible are the attempts of KFOR and UNMIK to "demonstrate" their commitment to multi-ethnic Kosovo and Metohija by recourse to brute force only in the remaining Serbian enclaves, refusing all along to do anything to ensure the return of more than 350,000 expelled Serbs and other non-Albanians, which sends them a clear message that they are not wanted.

Ethnic cleansing of Serbs and Montenegrins has already been completed in most of Kosovo and Metohija. Concentration of attacks by Albanian terrorists on the remaining Serbian enclaves, above all on the largest one in Kosovska Mitrovica, aided and abetted by the confused attitude of KFOR and UNMIK, provide ample evidence of the existence of a collusion between Albanian terrorists and the international presences, aimed at ethnically cleansing the Serbian province of its non-Albanians, the Serbs in particular.

The insistence of KFOR and UNMIK on the establishment of multi-ethnic communities, particularly the so-called security zones, in the remaining Serbian enclaves is an exercise in hypocrisy. This all the more so as no mention is made of the establishment of such communities in, for instance, Pristina, where about 40,000 Serbs and Montenegrins lived before the arrival of KFOR and UNMIK and where now barely 100 of them remain. Particularly disturbing is the fact that out of 25,000 Serbian students who attended schools or university in Priština only 35 remain and attend school outside Priština in the village of Laplje Selo.

There is also no mention of the re-establishment of multi-ethnic structures in Prizren, Peć, Orahovac, Djakovica, Glogovac and in other towns and villages of Kosovo and Metohija. The area of Kosovsko Pomoravlje has also been completely cleansed of Serbs and Montenegrins and some of the most responsible officials of the world Organization do not appear to be overly concerned, as evinced by the latest report of the Secretary-General to the Security Council (S/2000/177 of 3 March 2000) in which it is fleetingly noted that no conditions exist for the return of expelled Serbs and other non-Albanians and that, contrary to the express provisions of Security Council resolution 1244(1999), no measures will be taken to create such conditions.

The most recent machinations of KFOR and UNMIK in connection with Kosovska Mitrovica are just a new manifestation of the tested policy of satanization of Serbs for ulterior purposes: the completion of the cleansing of all Serbs from Kosovo and Metohija and the cover-up of the fact that the members of the terrorist so-called Kosovo Liberation Army have been neither demilitarized nor disarmed. Recent reports in the French press fully expose the shenanigans of the Special Representative and his backers to protract at all cost the artificially created picture of Serbs as perennial culprits. All along, the Special Representative has sought to conceal the fact that he has been in the business of promoting the interests of the separatist policies of Hashim Thaqi and Agim Cheku at the expense of the vital interests of the Serbs and other non-Albanians, the Republic of Serbia and the FR of Yugoslavia.

Non-compliance and gross violations of the basic provisions of Security Council resolution 1244 (1999) and the related documents by KFOR and UNMIK has accounted for a dramatic deterioration of security and the overall situation in Kosovo and Metohija, as well as for the continuation of Albanian terror and violence and the ethnic cleansing of Serbs and other non-Albanians and the persistence of wide-scale crime and lawlessness. KFOR and UNMIK have thus become accessories in the commission of the most serious crimes against Serbs and other non-Albanians and responsible for the lack of elementary security of Serbs and other non-Albanians.

Nevertheless, the tested tactics of hoodwinking the world public and of diverting attention from the disaster of the mission undertaken under the auspices of the United Nations is continued, while the few remaining Serbs are blamed for all evils. Cynical in extremis, this policy also reveals that Albanian terrorists and separatists, as well as those involved in international organized crime, are protected by KFOR and UNMIK and that a new form of aggression against the FR of Yugoslavia is in place though the alliance of

NATO and the terrorist so-called Kosovo Liberation Army. This is designed to destabilize the entire region of South East Europe and to transform Kosovo and Metohija into a centre of long-term destabilization of Europe and a haven of international terrorism to be spread throughout Europe to jeopardize its integration processes.

The continued deterioration of the situation in Kosovo and Metohija is a function of a protracted and artificial destabilization of the region, aimed at justifying the continued presence of NATO and at restoring its prestige and authority, eclipsed by its illegal aggression against the FR of Yugoslavia. Hence the continued manipulation of the tendentious contentions of KFOR and UNMIK about the success allegedly achieved by the international presences in Kosovo and Metohija, evinced also in the recent Report of the Secretary-General to the Security Council.

These contentions ring very hollow indeed against the backdrop of the grave situation on the ground and lead to the conclusion that their aim is to promote goals other than those envisaged in Security Council resolution 1244 (1999) and the related documents. The claim of KFOR and UNMIK that crime in Kosovo and Metohija is on a decrease is spurious since the decrease, to the extent it does take place at all, is a consequence of the decrease of the overall number of Serbs and other non-Albanians, the victims of Albanian terror and violence.

Overt cooperation of KFOR and UNMIK with Albanian separatists and terrorists in threatening the sovereignty and territorial integrity of a sovereign member-State of the United Nations is unprecedented in the history of United Nations peace-keeping missions and a blemish on the reputation and a blow to the authority of the United Nations. The Special Representative, in particular, has cut a deep dent in the credibility of the world Organization by his behaviour, which has been given wide publicity in the media in his own country (See recent articles in "Le Point" and "Le Canard Enchaîné").

2. Strict implementation of Security Council resolution 1244(1999) and the related documents - an imperative precondition for the normalization of the situation in Kosovo and Metohija

There is every indication that the overall situation in Kosovo and Metohija continues to deteriorate and that it constitutes a continued threat to stability in the region.

The gross violations of the provisions of Security Council resolution 1244 (1999) by KFOR and UNMIK has turned the mission, carried out under the auspices of the United Nations, into a complete fiasco. The Security Council bears primary responsibility for the ensuing tragic consequences as it failed to take necessary measures, as obliged under the resolution, to ensure a strict implementation of its provisions and the related documents.

It has become only too obvious that there no longer exist valid reasons for the continuation of the mission of the so-called international community as it has not been able or refused to carry out the mandate entrusted it by Security Council resolution 1244 (1999). This shameful mission should therefore come to an end and the competent authorities of the FR of Yugoslavia and the Republic of Serbia should be allowed to:

- restore peace and order, legality and the rule of law;
- ensure personal protection and the protection of the property of all residents of Kosovo and Metohija irrespective of their ethnic origin or religion;
- ensure normal functioning of all commercial entities and local authorities; and
- create all necessary preconditions for launching a political dialogue between the representatives of the State and ethnic communities in Kosovo and Metohija about the parameters of autonomy and self-governance in this Serbian province, within the constitutional system of the Republic of Serbia and the FR of Yugoslavia.

Strict compliance with Security Council resolution 1244(1999) and the related documents is the

fundamental precondition for the normalization of the overall situation in Kosovo and Metohija and it is the obligation of all to comply with it unconditionally.

IV. DEMANDS OF THE GOVERNMENT OF THE FR OF YUGOSLAVIA

Proceeding from its sovereign rights, guaranteed by Security Council resolution 1244 (1999), the Ahtisaari-Chernomyrdin document and the Military Technical Agreement, the Government of the FR of Yugoslavia reiterates herewith the following demands:

- the Security Council must take urgent and energetic measures to ensure strict respect for all provisions of the resolution and the relevant documents, in particular those guaranteeing the sovereignty and territorial integrity of the FR of Yugoslavia on its entire territory;
- UNMIK and KFOR must honour and carry out unconditionally and without delay the mandate established by the resolution and the relevant documents; and
- KFOR and UNMIK must strictly respect the sovereignty and territorial integrity of the FR of Yugoslavia and the Republic of Serbia and put an immediate end to all acts and actions, carried out in violation thereof, and restore the status quo ante.

This implies first and foremost:

- full normalization of the uniform customs and border regime with an immediate return of Yugoslav border authorities, customs and passport control to the State border of the FR of Yugoslavia with Albania and Macedonia;
- normalization of public services (PTT, the power supply system, railways and the banking system) in accordance with the laws of the Republic of Serbia and the FR of Yugoslavia and the principles of market economy, aimed at restoring the artificially broken links of Kosovo and Metohija with the Republic of Serbia and the FR of Yugoslavia;
- rescission of all regulations and other decisions of UNMIK and KFOR which violate the territorial integrity and sovereignty of the FR of Yugoslavia and the Republic of Serbia and ensurance of full respect for the laws in force in the FR of Yugoslavia and the Republic of Serbia on their entire territory. In that context, the Government of the Federal Republic of Yugoslavia condemns and rejects most resolutely the abuse of authority by the Special Representative in connection with voter registration and the holding of local elections in Kosovo and Metohija and the procedure by which he plans to establish parameters of "substantial autonomy" without direct participation of the competent authorities of the FR of Yugoslavia and the Republic of Serbia, outside the existing Yugoslav legislation;
- taking of appropriate measures to put an end to terror against, and the intimidation and harassment of, Serbs, Montenegrins, Roma, Muslims, Goranci, Turks and other non-Albanians, the cessation of the misuse of force against them, resulting in violations of their basic human rights and an effective prevention of the further ethnic cleansing of Kosovo and Metohija of non-Albanians;
- restitution of all illegally seized and occupied State, public, socially-owned and private property, primarily PTT, the power supply network, railways, banks, mines, factories and private businesses, to their legal owners;
- creation of a secure environment for all residents of Kosovo and Metohija and an immediate ensurance of the safety of their person and property;
- free and safe return to Kosovo and Metohija without delay of more than 350,000 Serbs, Montenegrins, Roma, Goranci, Turks and other non-Albanians expelled in the campaign of ethnic cleansing carried out by Albanian terrorists after the deployment of KFOR and UNMIK;
- immediate deportation of several hundred thousand citizens of Albania who have illegally entered

Kosovo and Metohija over the unprotected Yugoslav State borders;

- disbandment without further ado of the combat structure of the terrorist so-called Kosovo Liberation Army, the disarmament of all its members and other Albanian armed gangs who have been main causes of the problems in Kosovo and Metohija, such as rampant crime and an overall lack of security, the destruction of all their weapons and, in particular, the declaration as null and void of the document of the "transformation" of the so-called Kosovo Liberation Army;

- immediate and unhampered return of the VJ and MUP personnel to Kosovo and Metohija under the provisions of the Military Technical Agreement in the interest of normalizing security and preventing further massive expulsions of the remaining Serbs and other non-Albanians;

- ensurance of full freedom of movement on the entire territory of Kosovo and Metohija and the elimination of all ghettos and detention camps and the lifting of blockade of towns and villages, such as Kosovska Mitrovica, Orahovac or Gnjilane in which the few remaining Serbs continue to live;

- unimpeded delivery of humanitarian assistance to isolated Serbs, as the most vulnerable category of population in Kosovo and Metohija;

- normal functioning of education, respect for the autonomy of the university and other educational and cultural institutions and the media, especially those in the Serbian language and in towns and villages, such as Kosovska Mitrovica, in which Serbs continue to live in substantial numbers;

- full and permanent protection and restoration of Serbian cultural heritage, monuments, medieval monasteries, churches and cemeteries;

- immediate call to account and an exemplary punishment of the leaders of the so-called Kosovo Liberation Army, primarily Hashim Thaqi and Agim Cheku, and all other perpetrators of serious crimes, genocide, ethnic cleansing and terrorist acts against non-Albanians, their property and State and public property and against cultural and historic sites, educational, health, commercial and other institutions and facilities; and

- speedy establishment of a Joint Coordination Committee of the Government of the FR of Yugoslavia and the United Nations (UNMIK) and the conclusion of a comprehensive agreement between the FR of Yugoslavia and the United Nations on the status of the international presences under the auspices of the United Nations in Kosovo and Metohija and on other relevant issues without further delay.

Belgrade, 8 May 2000

Appendix

OVERVIEW

of terrorist and other acts of violence and of certain violations of Security Council resolution 1244 (1999) OF 10 June 1999 in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia since the arrival of KFOR and UNMIK, in the period from 10 June 1999 to 7 May 2000

(1) Number of terrorist attacks: 4,792

4,511 committed against Serbs and Montenegrins, 109 against Albanians and 172 against Roma, Muslims, Goranci, Turks and members of other ethnic communities.

(2) Number of killed persons: 1,010

888 Serbs and Montenegrins, 75 Albanians and 47 members of other ethnic communities in Kosovo and Metohija.

(3) Number of abducted and missing persons: 936

860 Serbs and Montenegrins, 42 Albanians and 34 members of other ethnic communities.

The fate of 786 persons is still unknown; 95 abducted persons were killed, 7 persons escaped, while 48 were released.

(4) Number of wounded persons: 924

867 Serbs and Montenegrins, 20 Albanians and 37 members of other ethnic communities.

(5) Ethnic cleansing: In the campaign of ethnic cleansing following the deployment of KFOR and UNMIK two-thirds of the non-Albanian population, i.e. over 350 000 Serbs, Montenegrins, Roma, Muslims, Goranci, Turks and other non-Albanians have been expelled from Kosovo and Metohija, of whom 270 000 are Serbs.

The following towns and villages have been ethnically cleansed of Serbs, Roma, Muslims, Goranci, Turks and other non-Albanians:

- Priština (all Serbs have been driven out of its largest suburbs of Ulpijana, Sunčani Breg, Dardanija, Univerzitetsko Naselje. Of the 40 000 Serbs who used to live in Priština before KFOR and UNMIK came to Kosovo and Metohija, 25,000 were school and university students. Today, only 35 Serbian schoolchildren live in Priština and attend classes in the local school in the village of Laplje;
- Prizren (only 100 Serbian families remain);

- Gnjilane, the situation in this town was alarming in March and April (in this period alone 350 houses of Serbs were sold). The number of remaining Serbs has been halved and today only about 1,500 Serbs remain. KFOR and UNMIK have warned them not to leave their homes.
- Djakovica, Peć, Podujevo, Glogovac, as well as the areas of Kosovska Mitrovica (Vučitrn, Srbica), Lipjan, Kosovo Polje, from which 80 per cent of their Serbian residents have been expelled, i.e. 7,000 Serbs and 4,000 other non-Albanians (their homes have been burned and looted, while shops, cafes and other property are being seized from their owners. In the presence of KFOR, ethnic Albanian terrorists brutalize and harass the Serbs who refuse to sell their homes and leave Kosovo and Metohija);
- the whole area of the municipalities of Istok and Klinë including the villages of Džakovo, Osojane, Tučepom, Koš, Žač, Belica, Krnjine, Matičane, Kačanik, Štimlje, Kmetovačka Vrbica and others, where 3,440 Serbian homes were burned down;
- the surroundings of Uroševac, Slivovo, Nedakovac, Nevoljane, Vrpica, Lještar, Žegra (municipality of Gnjilane), Žitnje, Požaranje, Grmovo, Drobeš; in the village of Talinovac the two last Serbian houses whose owners had been forced to move out were burnt down at the beginning of April;
- the surroundings of Vitina (Kabaš, Binač and other villages), the areas of Kosovska Kamenica (villages of Bratilovce, Firčēja and others) and Kosovsko Pomoravlje, as well as the villages of Topličane, Rujice, Magure, Slovinja, Staro Gracko, Klobukar in the municipality of Novo Brdo. (All Serbian houses have been burned down and all its owners forced to leave.)

Members of the terrorist so-called Kosovo Liberation Army exert great pressure on ethnic Goranci, the indigenous residents of the region of Gora, who are not allowed to use their maternal Serbian language in schools and in everyday life, in an attempt to misrepresent this ethnic group as Albanians.

Expulsion of the members of the Muslim ethnic community, loyal citizens of the FR of Yugoslavia, has intensified particularly in the area of the municipality of Istok..

In the area of Prizren and Djakovica about 65,000 Kosovo Albanian Catholics live in a difficult situation and under great pressure from Albanian terrorists who accuse them of "collaboration with Serbs".

Albanian separatists continue their deliberate actions, aimed at preventing the return of Serbs to Kosovo and Metohija. They raze Serbian houses in a pre-planned and synchronized manner. The most drastic example has been the looting and bulldozing of over 250 Serbian houses in the village of Bijelo Polje. The area of this village was turned into a garbage dump. Serbian houses in the villages of Brežanik and Osojane have also been bulldozed. Fourteen Serbian villages in the municipality of Vitina do not exist any more because all the houses have been destroyed. At the end of April, Albanian terrorists announced that they will carry out similar organized actions of looting and destroying Serbian houses in the villages near Istok and Novo Brdo.

(6) The latest brutal crimes: shelling of the Serbian village of Goraždevac (10 March, 25 March, 22 April 2000); killing of Gashi Sheqeri in his house in the village of Rogovo, municipality of Djakovica, and a Roma boy whose identity has not been established. This murder was committed by the members of the so-called Kosovo Protection Corps Bajram Gashi and Hallim Shala (30 March); bomb attack on the apartment

of Franjo Milić, a Croat, in Obilić (3 April 2000); cruel murder of 87-year Metodije Haljausku, a Czech, in Priština, who was shot in the back of the head (3 April 2000); mortar attack on a group of Serbs who played football in a field in the village of Cernice in which two persons were injured (5 April 2000); attack of eight terrorists on Stojan Petronijević in the courtyard of his family house in the village of Babin Most, municipality of Obilić (5 April 2000); killing of Dobrivoje Jovanović in Gnjilane (9 April 2000); mining of the Orthodox Church of Our Lady in Zočište for the third time (18 April 2000); mortar attack on an apartment building housing Serbs and Turks in downtown Priština in which two persons were wounded (18 April 2000); killing of Srdjan Marković from the village of Badovac, who was killed by terrorists in his car on his way to visit his friends (21 April 2000); murder of Stojanka Stojanović (65) in Gnjilane, in mid-April, whose body was found on 26 April 2000; terrorist attack on a bus in Kosovska Mitrovica ferrying Serbs to church (28 April 2000); vandal desecration of Serbian cemeteries and tombstones in the village of Glavotina, municipality of Vučitrn (26 April 2000), and in the village of Klobukar, municipality Novo Brdo (30 April 2000); dynamiting the Orthodox church of St. Nicholas from 16th century in the village of Grnčar, municipality of Vitina (28 April 2000); brutal murder of Milorad Perić (50) from the village of Pasjane who was working in the fields (29 April 2000); terrorist bomb attack on a group of residents of the village of Crkvena Vodica, municipality of Obilić, in which several children were wounded (2 May 2000); bomb attack on the house belonging to Hadžija Aguši (74), a Roma, who died from the wounds sustained in the attack (29 April 2000); killing of Zivko Stolic (67) in Kosovska Vitina, who was brutally tortured by terrorists and later killed (6 May 2000); attack on a Serbian family in Kosovska Vitina in the courtyard of their house on which occasion two adults and two children were wounded.

(7) New forms of terror against Serbs and other non-Albanians:

In its security actions against Serbian and other non-Albanians, KFOR is increasingly demonstrating force and resorting to harassment and physical violence and causing damage to Serbian property. Drastic incidents occurred in Kosovska Mitrovica (on 20-25 February), in the villages of Mogila (on 25-26 February), in which Serbian houses were searched by in a most brutal way, Draganovac (municipality of Gnjilane) and Mioliče (Municipality of Leposavić), Mali Zvečan (27 February), Gornje Kusce (1 March) and the Serbian villages of Rudare and Grabovac (1 March). The searches were conducted by KFOR jointly with the terrorists of the so-called KLA, who wore international security forces uniforms, in an open display of the existence of co-ordination between KFOR and Albanian terrorists.

In April violence against Serbs in the so-called security actions of KFOR has assumed dramatic proportions. The most drastic examples were the incidents which took place in the village of Dobrotin on 2 April, in the village of Sevce on 4 April and in the villages of Lepina and Jažine, when KFOR members released dogs on the Serbs who had gathered to protest the difficult situation and when a large number of people were seriously injured. Several persons were also injured in a brutal action of KFOR against Serbian demonstrators in Gračanica on 7 April 2000.

(8) Latest terrorist attacks on Serbian convoys:

Attacks on a Serbian convoys headed for Štrpce, near the village of Radivojce (on 22 and 29 February); attack on a Serbian convoy en route to Koretište, in the village of Dobričane (28 February); attack on a bus ferrying Serbian children home from school on the road between Gornje Kusce and Koretište (29 February); Lieutenant Peter Ramstell (KFOR, Kosovska Mitrovica area) banned all KFOR security escorts for buses transporting Serbian schoolchildren and sick persons to Gračanica (1 March); attacks against Serbian convoys in the village of Koretin (6 and 20 March); repeated attacks against Serbian convoys in Gnjilane (7, 10 and 31 March); an attack on a Serbian convoy in the village of Dobrovce (27 March); attack on a Serbian convoy on the road between Bujanovac and Gračanica (11 April 2000); attack on a convoy from Štrpce in the village of Požaranje, municipality of Vitina (18 April 2000).

KFOR has not prevented these terrorist attacks. Also, it has refused to provide security escorts to convoys between Merdare and Kosovo Polje. In addition to daily terror against them, this is added pressure on Serbs to leave Kosovo Polje.

(9) Number of arbitrarily arrested persons by KFOR and UNMIK: 200

Arrested Serbs are detained in prisons in Pristina, Prizren, Sojevo near Uroševac, Kosovska Mitrovica, Gnjilane, Lipljan and Klokot Banja.

They have been arrested without any explanation or charges, only on the ground of information provided by the Albanians, most frequently by the members of the terrorist so-called Kosovo Liberation Army.

43 Serbs arbitrarily arrested without legal grounds by KFOR and UNMIK have been detained in a prison in Kosovska Mitrovica for almost ten months. In this period no investigation or any court proceedings have been instituted. On 10 April 2000, 37 detained Serbs and 5 Roma went on a hunger strike. The immediate cause was the release of Gjeral Ademi, an ethnic Albanian, against whom an investigation had been instituted because of a hand grenade attack in which 22 Serbs and 14 French soldiers of KFOR were injured. Doctors from the School of Medicine of the University of Pristina found out at the last examination (6 May 2000) that their health condition was rapidly deteriorating and that eleven of them were in critical conditions. On 7 May 2000, Arsenije Vitosevic, suffering from a chronic heart condition, was admitted to the City hospital. Due to exhaustion, high blood pressure and heart condition he has been placed in an intensive care unit. He was given infusion and is in a difficult psychological condition (two years ago KLA terrorists abducted his son and he has not heard from him since). The doctors who examined the strikers requested that 10 detainees be sent to hospital due to exhaustion and deteriorating health condition. They called on the competent judicial and police UNMIK authorities to release the strikers without delay so that they could given proper medical treatment and that their condition stabilized.

(10) Prisons and labour camps run by the terrorist so-called Kosovo Liberation Army

The abducted Serbian civilians, detained by the terrorist so-called Kosovo Liberation Army, are kept in the labour camps located in the village of Matičane and in the wider area of Prizren ("Ortokal" estate, a building situated on the road to Djakovica) and in Drenica. 472 abducted Serbs are kept in the camps.

KLA prisons for Serbs, Montenegrins and members of other ethnic communities who are not supportive of Albanian terrorists are situated also around the village of Brod, municipality of Dragaš, and along the Djakovica road towards the village of Junik, municipality of Dečani, as well as in the villages of Glodjane, Izbica and Strovce in the Kosovska Mitrovica district; and in the premises of Railroad Transport Co. in Uroševac.

(11) Situation in Kosovska Mitrovica:

Since the deployment of KFOR and UNMIK in Kosovo and Metohija, the security situation has been very serious, particularly in and around Kosovska Mitrovica. Some of the most salient types and instances of atrocities have been:

- looting and the destruction of 2,365 homes belonging to Serbs, Montenegrins and other non-Albanians (1,200 in Kosovska Mitrovica; 1,060 in Vučitrn; and 105 in Srbica);
- eviction of 700 Serbian families from their apartments (500 southern Kosovska Mitrovica; 150 in Vučitrn; and 50 in Srbica);
- looting and the destruction of the property of the following companies:

1. In Kosovska Mitrovica: Socially-owned companies "Kosovo-Sirovina", "Betonjerka", "Lux", "AMD", "Kosmet-Prevoz", "Trans-Kosovo", Duvanska, Minel, Zemljoradnička zadruga (cooperative), Hortikultura, Mitrovčanka, DES, "Ibar-Rožaje" warehouse, water utility company "Vodovod", printing company "Progres", electric power generation company "Elektro-Kosovo", PTT and a large number of bars and cafes owned by non-Albanians.

2. In Vučitrn: Socially-owned companies "Sartid", "Vučitrn-Prevoz", "Ratar", Farm Cooperative, paints and coatings factory "Ekstra", construction company "Kosovo", utilities company "Sitnica", private company "Čičavica", employment bureau, local community centre, Town Hall of Vučitrn, Construction Land Fund, local department store, Auditing Office building, Jugobanka, primary and secondary schools, Jugopetrol, Beopetrol, electric power generation company "Elektro-Kosovo", PTT.

3. In Srbica: Hunting munitions factory, plastics factory, socially-owned company "Budućnost", Farm Cooperative, public utilities company, "Dijamant-produkt" Co., local community centre, local self-managing community of interest, "Žitopromet" Co. and its silos.

(12) Recent killings and terrorizing of Albanians loyal to the FR of Yugoslavia:

The terrorist so-called Kosovo Liberation Army has stepped up the execution of Albanians who do support their policy and goals, particularly in the areas of Priština, Podujevo and Peć. The most drastic examples

are: the murder of Hejdi Sejdiu, a member of the Provincial Committee of the Serbian Socialist Party, in his home town of Uroševac in front of his wife and three children (on 10 February), the killing of Danush Januzi in Vitina (on 10 February); the massacre of Tahir Bekim, abducted and later killed by the terrorists of the so-called Kosovo Liberation Army (parts of his mutilated body were found on 24 February).

The terrorists of the so-called Kosovo Liberation Army burnt down the house of Sellim Broshi, former head of the Provincial Ministry of the Interior, in the village of Odanovce, municipality of Kosovska Kamenica, on 20 March 2000. They are also looking for Sinan Rexhepi, former employee of the Provincial Ministry of the Interior. They threaten Sadik Hajrulah from Vitina, Ramadan Sermaxhi, employee of the Ministry of the Interior in Gnjilane, Minir Krasniqi from Kosovska Kamenica, as well as other former or present ethnic Albanian members of the Provincial Ministry of the Interior in Gnjilane. In mid-March, terrorists of the so-called Kosovo Liberation Army abducted Noa and Nua Kajtazi, catholic Albanians, in the village of Zjum accusing them that they are loyal citizens of the FR of Yugoslavia. They requested a ransom from their family in the amount of DM 40,000. They also searched their houses, looted it and beat the members of their family.

In addition to Serbs, the terrorist so-called Kosovo Liberation Army also rounds up Albanians, loyal to the State of the FR of Yugoslavia, and detain them in their prison camps (around the village of Brod, municipality of Dragaš).

(13) Destruction of churches, monasteries and cultural monuments:

86 churches, monasteries and other cultural monuments were burned down, demolished or seriously damaged, among them the Church of the Entrance of Our Lady into the Temple at Dolac, monastery of St. Mark at Koriša from 1467, monastery of Prophets Kosmo and Damien in Zočište from 14th century, the church in Kijevo from the 14th century, the Holy Trinity monastery from the 14th century near Mušutište, monastery Devič built in 1440, Church of St. Paraskeva in Drenik from the 16th century, Church of St. Demetrius near Peć, the Orthodox church at Grmovo near Vitina, Church of St. Elijah at Žegra near Gnjilane, church of Holy Mother in Mušutište from 1315, Church of St. Elijah at Bistražin, Church of Apostles Peter and Paul in Suva Reka, monastery of St. Uroš in Nerodimlje, monastery of St. Archangel Gabriel from the 14th century in Binač, Church of St. Mary from the 16th century in Belo Polje, Church of St. John the Baptist in Pečka Banja, churches in the villages of Naklo, Vučitrn, Petrovac, Uroševac, Podgorce, Djurakovac, Kruševo, Osojane, Samodreža, Dresna near Klina, Rekovac, Petrič, monastery Binač near Vitina, Holy Trinity Cathedral in Djakovica, St. Nicholas' Church in Gnjilane.

Monks and other clergy are being terrorized and persecuted. More than 150 parish residences were destroyed or damaged. Over 10,000 icons and other sacral objects, most of which are part of cultural treasures under the special protection of the State, were stolen or destroyed. Medieval frescoes were destroyed in 70 per cent of Orthodox churches and monasteries.

Assaults on members of the Catholic religious community by the terrorists of the so-called Kosovo Liberation Army have intensified in Prizren and Peć, particularly assaults on clergymen (The homes of two Franciscan priests were burned down.).

The following cultural monuments were damaged or demolished:

- statues of the greatest lexicographer of the Serbian language Vuk Karadzic and the great Montenegrin poet Petar Petrović Njegoš in downtown Priština;
- memorials to King Uroš in Uroševac and King Dušan in Prizren;
- memorial to Prince Lazar in Gnjilane and the memorial to Serbian rulers from the Nemanjić dynasty in the village of Gornje Nerodimlje;
- memorial to Miloš Obilić, the symbol of the town of Obilić. KFOR removed the damaged statue to the compounds of the thermal electric power plant "Kosovo B".
- about 400 000 books vanished in the fire set to the Pristina Library.

Many of the destroyed monuments are outstanding examples of the Serbian cultural heritage and are on the list of the monuments of exceptional cultural value under the protection of UNESCO.

(14) Forced and illegal taking over of public institutions:

- Forcible and illegal takeovers of premises and buildings of post offices, banks, medical institutions, water and power supply systems, university, elementary and secondary schools, municipal and other local government buildings, local communes, buildings of the Ministry of the Interior and the Army of Yugoslavia, factories, enterprises, cooperatives, etc. in Priština (premises of the Clinical Centre "Priština" and the health station whose equipment has been stolen and taken by doctors in private practice, Federal Customs Administration, Public Housing Company, Institute for Urban Planning, water supply company "Vodovod", thermal electric power plant "Kosovo B", depots and petrol stations of "Jugopetrol", the shareholding companies "Kosmet-Priština", "Kosovo-Trans", "Energoinvest", "Autopriština", car shock absorbers factory, "Jugotrans", etc.) as well as in Prizren, Dragaš, Podujevo, Lipjan, Štrpci, Kosovska Mitrovica, Kosovo Polje (with the assistance of KFOR), Djakovica (with the assistance of KFOR).

- By forced and illegal taking over of public enterprises and institutions tens of thousands employed Serbs, Montenegrins, Roma, Muslims, Goranci, Turks and other non-Albanians were sacked and left with no means to support themselves.

- More than 190 major companies were forcibly and illegally seized, whose equipment was looted and most often taken to Albania.

(15) Armed artillery attacks on villages: Slovinj, Matičane, Orahovac, Konjuh, Berivojce, Gornja Brnjica, the villages around Kosovska Kamenica: Grnčar, Magila, Ajvalija, all the villages of the Istok-Klina region, Goraždevac near Peć, Svinjare, Klokot, Novo Brdo, Zjurn, Donja and Gornja Gušterica, Sušica, Badavac, Bresje, Vrbovac, Vitina, Cernice, (municipality of Gnjilane), Dobruša, Veliko Ropotovo (municipality of Kosovska Kamenica), Parteš, Podgradje, Mališevo and Pasjane (municipality of Gnjilane), Lještar, Budriga,

Dobrotin (municipality of Lipljan), Grnčar, Binač, Ranilug, Šilovo, Odovce, Rajanovce, Bosce, Čaglavica, Paravolo, Lebane, Gojbulja, Suvo Grlo and Banje (municipality of Srbica), in the following villages in the area of the municipality of Gora: Brodosavce, Belobrod, Kukavce; frequent attacks on houses of Goranci, Muslims and Albanians, loyal to the FR of Yugoslavia, and in Grabovac (municipality of Zvečan).

All Serbian houses in the villages of Donji Livoč, Kmetova Vrbica, Lipovica and Cernice in the municipality of Gnjilane, and in the villages of Vaganeš, Gradjenik and Orahovica in the municipality of Kosovska Kamenica, all forming part of Kosovsko Pomoravlje, were set on fire or destroyed by mortars or explosives.

All this runs counter to assertions by KFOR and UNMIK that the terrorist so-called Kosovo Liberation Army has been disarmed.

(16) Blockade of towns and villages: Gadnje, Orahovac and Velika Hoča, Koretin, villages around Gnjilane, Gornja Srbica, Goraždevac, Prilužje (the village surrounded by Albanians, with no doctors, shops and phone lines; about 80 per cent of the villagers who worked for the Electric Power Industry of Serbia have remained jobless).

About 3,500 Serbian residents of Orahovac have been living for more than nine months since the deployment of KFOR and UNMIK in the first concentration camp in Europe after the Second World War, besieged by the terrorist so-called Kosovo Liberation Army.

(17) Armed threats against villages and terror committed on a daily basis against non-Albanians: Ugljari, Srpski Babuš, Štimlje, Novo Selo, Bresje, Obilić, the area around Kosovo Polje, Miloševo (on which an armed attack was recently carried out), the village of Zebnice (dramatic humanitarian situation), most of the mainly Catholic Croatian population of the villages of Letinice, Vrnaz, Vrnovo Kolo and Šašare have moved out, Drenovac (50 Serbs massacred), village of Cernice (a series of incidents in which US KFOR soldiers maltreated Serbs), Požaranje, Gotovuša, Gatnje, Zubin Potok, Veliki Alaš, Vrelo and Radevo, Plemetin and Slatina (municipality of Vučitrn), Crkolez (municipality of Istok), Ogoše - municipality of Kosovska Kamenica (where almost all Roma families have been driven out), Banjska, Gojbulja and Miroče (municipality of Vučitrn), Brežanik (municipality of Peć).

Ruthless terror is used against the remaining Serbs in the village of Obilić: their houses are attacked and set on fire. They cannot call fire emergency services or ask for KFOR and UNMIK assistance since their telephone lines are disconnected, while those belonging to Albanian households are connected. This provides further evidence of against Serb by KFOR and UNMIK who sit idly by.

(18) The looted Serbian villages whose residents were forced out: Mužičani, Slivovo, Orlović, Dragaš, the area around Kosovo Polje, Livadice, Mirovac, Sirinička Župa, Medregovac, Grace, Zočište, Sofalija, Dragoljevac, Tomance, Koretin, Leštar, Donja Šipašnica, Miganovce, Lanište and Zmijarnik (municipality of Kosovska Kamenica).

(19) Serbian settlements set on fire: Istok, Klina, Donja Lapaštica, Obrandža, Velika Reka, Perane, Lauše, the villages around Podujevo, Grace, Donja Dubica, Zojište, Orahovac, Naklo, Vitimirice, Belo Polje, Kojlovice, Aloš-Topličane, Krajište, Rudnik, Donji Strmac, Goleš (municipality of Lipjan), Orlović (municipality of Priština), Krpimej and Lauša (municipality of Podujevo), Mužičane (all Serbian houses burned down), Zaimovo, Denovac, Lesjane, Gornje and Donje Nerodimlje (all Serbian houses looted and burned down), Sinaje (municipality of Istok), Balovac, Mali Talinovac, Ljubižda, Klobuka and Oraovica (municipality of Kosovska Kamenica), Zaskok and Novi Miroš (municipality of Uroševac).

(20) Registered number of homes burned down: About 50,000 houses of Serbs, Roma, Muslims, Goranci and other non-Albanians were burned down in Kosovo and Metohija.

(21) Registered number of illegal entries of foreign citizens into the FR of Yugoslavia (Kosovo and Metohija) without the necessary papers (visas and registration of stay with the competent authorities): 811

Over 250,000 foreigners have illegally entered Kosovo and Metohija with approval of UNMIK and KFOR. The Government of the FR of Yugoslavia has officially requested their deportation on several occasions. These requests went unheeded, although those persons are international terrorists, criminals, narco-mafia members, white slave merchants, organizers of brothels and other forms of international crime.

(22) Registered number of stolen vehicles: over 12,000

As a result of open borders with Macedonia and Albania 250,000 vehicles were brought into Kosovo and Metohija without payment of customs duties. Most of these vehicles were stolen.

UNMIK has extended the period for the registration of vehicles in Kosovo and Metohija until 31 May 2000. It is expected that it will register about 200,000 vehicles thus legalizing crime and theft.

(23) Registered number of cases of violation of the ground security zone by KFOR: 364

REVIEW OF TERRORIST AND OTHER ACTS OF VIOLENCE AND OF CERTAIN VIOLATIONS OF SECURITY COUNCIL RESOLUTION 1244 (1999) IN THE PROVINCE OF KOSOVO AND METOHIJA SINCE THE DEPLOYMENT OF KFOR AND UNMIK IN THE PERIOD FROM 10 JUNE 1999 TO 7 MAY 2000

Terrorism of Albanian separatists

Total number of terrorist attacks	4,792
- Serbs and Montenegrins	4,511
- Albanians	109
- members of other ethnic communities	172

A. Killed	1,010
- Serbs and Montenegrins	888
- Albanians	75
- members of other ethnic communities	47

B. Wounded	924
- Serbs and Montenegrins	867
- Albanians	20
- members of other ethnic communities	37

C. Kidnapped and missing	936
- Serbs and Montenegrins	860
- Albanians	42
- members of other ethnic communities	34

Fate of kidnapped and missing

1. Killed	95
2. Escaped	7
3. Unaccounted-for	786
4. Released	48
